

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

AUGUST 22, 2003

(Published August 30, 2003, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
August 22, 2003 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, President Ostrow.

Lilligren moved acceptance of the minutes of the regular meeting held 8/8/03. Seconded.

Adopted upon a voice vote.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (268987)

Focus Minneapolis Initiative: Update.

COMMUNITY DEVELOPMENT (See Rep):

GRANTS AND SPECIAL PROJECTS (268988)

2002 Consolidated Annual Performance and Evaluation Report: Submit report to the US Department of Housing and Urban Development; Comments: Legal Aid Society of Minneapolis.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (268989)

Grant Urban Renewal Plan: Modification to Plan and to Common Plans to include properties for acquisition.

Minneapolis Housing Replacement District II Tax Increment Finance Plan: Adopt Housing Replacement District II Plan and create Tax Increment Financing District II.

Grants: Accept grants from the Minnesota Department of Trade and Economic Development, Metropolitan Council Livable Communities Tax Base Revitalization Account, Livable Communities Demonstration Account and Hennepin County Environmental Response Fund.

GRANTS AND SPECIAL PROJECTS (268990)

Grant Applications for Predevelopment Funding through the Family Housing Fund and the Minneapolis Foundation: Submit applications for Agape Child Development Center, Karamu West, Nicollet Hotel Block, Lowell School Site, 5238 & 5248 Minnehaha Av and 3254 Stinson Boulevard.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (268991)

Longfellow Neighborhood: Approve use of Hennepin County "Second 7.5%" to support a community organizer position.

Youth Coordinating Board: Transfer Neighborhood Revitalization Program funds for youth initiatives.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (268992)

No Child Left Behind: Report on federal law and explanation of Adequate Yearly Progress rating system and implications for Minneapolis Public Schools.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (268993)

Ending Chronic Homelessness through Employment and Housing Program: Submit grant application to United States Department of Labor seeking up to \$625,000 to provide employment and support services through non-profit organization Resource Inc to address chronic homelessness in Minneapolis.

Summer Youth Employment and Training Program - C.L.A.S.S.: Execute contract with Special School District #1 to receive up to \$35,100 to support Center for Learning Academic and Survival Skills participants who are in need of passing basic skills test; and Approve appropriation.

HEALTH AND FAMILY SUPPORT SERVICES (268993.1)

Family and Children's Service Master Contract: Amend Master Contract with Family and Children's Services to increase by \$300,000 to allow for current and future projects as various grants become available.

Public Health Emergency Preparedness Plan: Accept grant award of \$514,906 and execute grant agreement with Minnesota Department of Health to develop and implement County-wide Public Health Emergency Preparedness Plan; and Approve appropriation.

Registered Professional Nurse for School Based Clinic Program: Hire Kathleen Bots at Step 5 of Registered Professional Nurse salary schedule.

INTERGOVERNMENTAL RELATIONS (See Rep):

REGULATORY SERVICES (268994)

Lower St. Anthony Falls Hydroelectric Project: Staff comments to Spaulding Consultants, LLC.

Xcel Energy's St. Anthony Falls Hydroelectric Project: City's official comments on draft environmental assessment.

INTERGOVERNMENTAL RELATIONS and PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COUNCIL MEMBER NIZIOLEK (268995)

Potential Public Safety/Criminal Justice Legislative Issues-2004.

INTERGOVERNMENTAL RELATIONS (268996)

Potential Public Safety/Criminal Justice Legislative Issues for 2004: Approve list of issues for preliminary consideration.

PUBLIC SAFETY AND REGULATORY SERVICES:

LICENSES AND CONSUMER SERVICES (268997)

Taxicab Industry: Staff Direction to reinstate the Taxi Safety Committee.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

ATTORNEY (268998)

Nuisance Night Court Proposal:

a. Receive & File report.

b. Direct staff to report back (September 17th) with specific staffing and cost requirements for pre-charging referral system, post-charging referral system through Traffic Violation Bureau and the Administrative Enforcement and Hearing process.

- c. Direct staff to report back with proposed curriculum for a Livability Offenses Behavior Class.
 - d. Direct staff to further develop the pre-charging referral process and the increased use of the Administrative Enforcement and Hearing Process, and bring back specific recommendations regarding a pre-charging referral process and expanded use of the Administrative Enforcement and Hearing Process.
 - e. Direct staff to pursue legislative options.
- LICENSES AND CONSUMER SERVICES (268999)
Licenses: Applications.
REGULATORY SERVICES (269000)
Citizens Environmental Advisory Committee (CEAC): Approve appointment of Denise M. Leezer, 5825 10th Av S (Ward 11).

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (269001)

Fee for Providing Medical Care at Scene of Motor Vehicle Accidents: Authorize Fire Department begin charging \$400 per patient for emergency medical care provided by Fire Department 911 responses to personal injury accidents.

POLICE DEPARTMENT (269002)

Police Executive Research Forum (PERF): Execute Amendment #2 to Grant Agreement with PERF to extend grant period through December 31, 2003 to allow time to expend grant funds for continued community outreach under the Collaborative Leadership Project.

2003 Local Law Enforcement Block Grant: Submit application to United States Department of Justice, Bureau of Justice Assistance seeking \$852,798 over a two-year period, to be shared with Hennepin County, to enhance the operational capabilities of the Police Department and provide staff support in the City Attorney's Office to respond to misdemeanor violations and citations.

Automated Pawn System (APS): Negotiate and execute agreement with State of Minnesota for continued housing, maintenance and support for system hardware and network management during period July 1, 2003 through June 30, 2004.

PURCHASING (269003)

Bid for Semi-Automated External Defibrillators: Accept bid meeting specifications of Cardiac Science for 58 defibrillators for Fire Department.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (269005)

Quarterly Submittal: Traffic Zones, Restrictions and Controls.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (269004)

Loring Bike Project: Authorize negotiation to acquire easements.

Sidewalk Easement from Special School District: Authorize acceptance of sidewalk easement.

Equipment Information System: Authorize execution of an amendment with Maximus (fka Control Software Inc., Ltd.) for annual maintenance & system support services for the software.

Nicollet Mall Advisory Board: Approve resignations of David Sternberg, IDS (RREEF), & David Johnson, Brookfield Properties; & approve appointments of Jim Durda, RREEF, & David Sternberg, Brookfield Development, for terms expiring 12/31/04.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (269006)

Bid: Accept OP #6117, low responsive bid of Killmer Electric Company for low level lighting project in the Lowry Hill East Neighborhood.

Columbia Heights Membrane Filtration Plant: Authorize to execute an amendment to contract with Adolfson & Peterson for removal of buried debris including asbestos-containing materials.

Light Rail Transit Grant Application: Submit three applications for federal Transportation Equity Act for the 21st Century (TEA-21) funds; & commit local resources, including a 20% local match, & commit to implementing funding for ongoing operations & maintenance expenses.

Public Safety Facility & Government Center Ramp New Skyway Connection: Authorize negotiation & execute of a Right of Entry Agreement, Letter of Intent, prepare contracts for signatures for easements for the skyway & provision for the future skyway connection.

PUBLIC WORKS AND ENGINEERING (269007)

Bid: Passage of Resolution granting approval for OP#6128, low responsive bidders for public impound towing.

Bid: All bids received on OP #6130, for the Central Av NE (TH65) Street Reconstruction Project be rejected.

PUBLIC WORKS AND ENGINEERING (269008)

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(CPR) on behalf of the Shingle Creek Neighborhood Association (SCNA) & amending resolution to increase appropriation.

Bicycle Signage Nokomis Neighborhood NRP Project: Approve bicycle directional way-finding signage project & increasing the appropriation & increasing the revenue source to be reimbursed by NRP.

Walker Arts Center Contamination Cleanup Grant: Accept \$300,000 for reimbursement for cleanup cost and increasing appropriation that will be reimbursed by the State of Minnesota's Department of Trade & Economic Development.

Doherty lease- Centre Village Municipal Parking Ramp: Authorize to negotiate & execute amendment to the lease agreement.

NRG Energy Center Agreement: Authorize to negotiate & execute amendments to agreements for steam heating and chilled water cooling with an option to renew for three additional five-year periods as follows: a) Loring Municipal Parking Ramp from 7/1/03 to 6/30/08; b) Centre Village Municipal Parking Ramp from 7/1/03 to 6/30/08; & c) Leamington Municipal Parking Ramp shall extend its end date to 6/30/08.

WAYS AND MEANS BUDGET:

COORDINATOR (269009)

Greater Minneapolis Convention & Visitors Association: Quarterly Performance Report, 2nd Quarter 2003.

WAYS AND MEANS BUDGET (See Rep):

CITY CLERK & BUSINESS INFORMATION SERVICES (269010)

Enterprise Information Management Policy: Approve policy and establish board.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269011)

Empowerment Zone Funds: Accept entitlement from U S Department of Housing and Urban Development.

COORDINATOR (269012)

New Central Library Project: Change Order increasing contract with F.M. Frattalone Excavating & Grading, Inc.

COUNCIL MEMBER LANE (269013)

Neighborhood Revitalization Program Ordinance: Comments from Stevens Square Community Organization; Analysis of amendment removing entertainment tax from Target Center finance plan; Finance Officer's revised Target Center Finance Plan memorandum, Analysis of Proposed NRP Ordinance and Estimate of Phase II NRP Resources.

FINANCE DEPARTMENT (269014)

Utility Bill Insert: Center for Energy & Environment insert regarding low interest financing.

Reimbursement for Non-Sufficient Funds Charges: Authorize Finance Officer to reimburse charges resulting from August 8 payroll issuance.

GASB 34 Project: Amend contract with Deloitte & Touche increasing compensation.

PLANNING COMMISSION/DEPARTMENT (269015)

Mosaic - Celebrating the Arts & Cultures of Minneapolis Event: Accept funds donated by US Bank Corp, Piper Jaffray and Minneapolis Foundation.

Acceptance of Funds for Historic Properties Review: Accept funds from the Minnesota Historical Society for survey of Northeast Minneapolis properties.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (269016)

Appeals:

Chuck Liddy, Miller Dunwiddie Architects (re Andrew Riverside Presbyterian Church, 729-4th St SE/401-8th Ave SE): Information on structural integrity.

PLANNING COMMISSION/DEPARTMENT (269017)

Rezoning Applications:

Scott Weber/Cedar Beach Apartments (2601 Sunset Blvd).

Vacation Applications:

RS Eden (alley right-of-way adjacent to 1931 W Broadway between Newton & Oliver Aves); Dunwoody College of Technology (part of Laurel Ave, Aldrich Ave N to I-394);

Timothy Baylor, for JADT Development Group, LLC (irregular-shaped portion of as-built cul-de-sac of W River Rd N).

PLANNING COMMISSION:

NNS PROPERTIES (269018)

Permission to vacate portion of alley in block between 31st St E, Lake St E, 12th & 13th Aves S.

MOTIONS (See Rep):

ATTORNEY (269019)

Workers Compensation Payments: Fourth Quarter of 2002 and First Quarter of 2003.

HUMAN RESOURCES (269019.1)

MCDA Pension Transfer: Requesting a Private Letter Ruling from the IRS.

FILED:

CITY CLERK/SPECIAL PERMITS (269020)

26th & Hennepin (St Paul Development Corp) operate one-time event;

34th Av NE, 1810 (Mary Zubrzycki) ponies;

37th St W, 1012 (Karen Murray) petting zoo & pony;

Bloomington Av S, 4137 (Sign a Rama) sign;

Cedar Lake Av, 3700 (Gladys Sanders) minihorses;

Columbus Av, 2701 (Eric Piper) ponies;

Excelsior Blvd, 3012 (Amtech Lighting) sign;

Hennepin Av S, 2700 (Amtech Lighting) sign;

Lake St E, 1700 (Amtech Lighting) sign;

Lyndale Av S, 3551 & 5400 (Amtech Lighting) signs;

Plymouth Av N, 2100 (Urban League) pony rides;

Snelling Av S, 3555 (Sue Bielinski) move single-family house;

University Av NE, 2636 (Amtech Lighting) sign;

University Av SE, 2515 (ASI-Modulex) sign.

MN DEPT OF TRANSPORTATION (269021)

Municipal State Aid Streets: Order 87289 for revocation and designation of MSA streets.

XCEL ENERGY (269022)

Xcel Energy/NSP: Installation of various poles and wires.

The following reports were signed by Mayor Rybak on 8/27/03, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following report:

Comm Dev - Your Committee, having conducted a public hearing to receive comments on the City of Minneapolis 2002 Consolidated Annual Performance and Evaluation Report, now recommends

that the proper City officers be directed to submit said report to the U.S. Department of Housing and Urban Development on August 29, 2003.

Adopted 8/22/03.

Absent - Johnson Lee.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution adopting Modification #15 to the Grant Urban Renewal Plan and Modification #95 to the Common Tax Increment Finance Plan, designating three sites within the Grant Urban Renewal Area as properties that may be acquired.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted 8/22/03.

Absent - Johnson Lee.

Resolution 2003R-385, adopting Modification #15 to the Grant Urban Renewal Plan and Modification #95 to the Common Tax Increment Finance Plan, designating three sites within the Grant Urban Renewal Area as properties that may be acquired, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-385
By Goodman and Johnson

Adopting Modification No. 15 to the Grant Urban Renewal Plan, and Modification No 95 to the Common Development and Redevelopment and Common Tax Increment Finance Plan.

Resolved by The City Council of The City Of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended, the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing ("TIF") districts, among other things, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, 469.174 through 469.179, as amended; and Laws of Minnesota 1971, Chapter 677 (collectively, the "Project Laws").

1.2. By Resolution on February 28, 1964, the City Council of the City of Minneapolis approved the Grant Urban Renewal Project and Grant Plan and further, the Agency approved fourteen modifications to the Plan between 1964 and 2001, inclusive, that were approved by the City Council of the City.

1.3. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Agency of the Common Development and Redevelopment Project (the "Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plan (the "Common Plans") relating thereto, all pursuant to the Project Laws.

1.4. The Agency has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 15 to the Grant Urban Renewal Plan and Modification No 95 to the Common Plans (the "Modifications"), describing more precisely the parcels to be designated for acquisition located within the boundary of the Grant Urban Renewal Plan and the boundary of the Common Plans in accordance with Project Laws.

1.5. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modifications, including, but not limited to, a review of the proposed Modifications by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Modifications to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.6. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Modifications to reflect the designation of parcels that may be acquired.

Section 2. Findings for the Adoption of the Modifications.

2.1. The Council hereby finds, determines and declares that the proposed Modifications will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the project by private enterprise.

2.2. The Council further finds that the Modifications conform to the general plan for the development of the City as a whole. Written comments of the Planning Commission with respect to the Modifications were issued and are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.3. The Council further finds that the land in the project would not be made available for redevelopment without the financial aid to be sought.

2.4. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Modifications.

Section 3. Approval of the Modifications.

3.1 Based upon the findings set forth in Section 2, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modifications.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Modifications, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Minneapolis Housing Replacement District II Tax Increment Finance Plan established to facilitate the acquisition, site preparation and disposition of undeveloped land, or vacant or substandard houses for the purpose of rehabilitation or redevelopment as housing, now recommends concurrence with the recommendation of the Deputy Executive Director of the Minneapolis Community Development Agency (MCDA) in passage of the accompanying resolution creating said Plan.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted 8/22/03.

Absent - Johnson Lee.

Resolution 2003R-386, adopting the Minneapolis Housing Replacement District II Tax Increment Finance Plan, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2003R-386
By Goodman and Johnson**

Adopting the Housing Replacement District II Plan and Creating Housing Replacement Tax Increment Financing District II for the City of Minneapolis.

Resolved by The City Council of The City Of Minneapolis:

Section 1. Recitals

1.01 Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended, (the "Agency Laws") the Minneapolis Community Development Agency (the "Agency") has the authority to propose and implement tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, 469.174 through 469.179, as amended; and Laws of Minnesota 1995, Chapter 264, Article 5, Sections 44 through 47, as amended by Minnesota Session Laws 1996, Chapter 471, Article 7, Minnesota Session Laws 1997, Chapter 231, Article 10, and Minnesota Session Laws 2002, Chapter 377, Article 7 (the "Act") (collectively, the "Laws").

1.02 By Resolution No 95R-397 duly adopted on December 29, 1995, the City Council of the City (the "Council") adopted a resolution approving the Act and enabling the Agency to establish a Housing Replacement Tax Increment Financing District within the City.

1.03 By Resolution No 96R-210 duly adopted on August 9, 1996, the Council adopted a Housing Replacement District Plan and created a Housing Replacement Tax Increment Financing District for the City of Minneapolis.

1.04 It has been proposed that the Agency prepare a second Housing Replacement District Plan (the "Plan") and create a second Housing Replacement Tax Increment Financing District (the "District") for the City, including the identification of property that may be acquired and the preparation of a preliminary project budget, all pursuant to and in accordance with the Act.

1.05 The Agency has caused to be prepared, and there has been presented to the Council, and this Council has investigated the facts with respect thereto, the proposed Plan describing more precisely the activities to be undertaken.

1.06 The Agency and the City have performed all actions required by law to be performed prior to the adoption and approval of the Plan and creation of the District, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plan to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 and other interested parties for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.07 The Council hereby determines that it is necessary and in the best interests of the City at this time to approve and adopt the Plan and to create the District of underdeveloped parcels for development and redevelopment, and for resale as market rate housing.

Section 2. Findings for the Adoption of the Plan

2.01 The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the development and redevelopment within the District by private enterprise.

2.02 The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.03 The Council further finds, determines and declares that the land in the District would not be made available for redevelopment without the financial aid to be sought.

2.04 The Council further finds, determines and declares that the proposed development or redevelopment within the District would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and therefore, the use of tax increment financing is deemed necessary.

2.05 The Council further finds, determines and declares that the property to be certified within the District is vacant, parcels containing vacant houses, or parcels containing houses that are structurally substandard, as defined in Minnesota Statutes, Section 469.174, Subd. 10, and that it qualifies for inclusion in the District pursuant to the Act; and that the reasons and supporting facts for this determination are retained and available from the Agency.

2.06 The Council further finds, determines and declares that the authority to create the District has been duly established pursuant to the Act; and that the reasons and supporting facts for this determination are retained and available from the Agency.

2.07 The Council further finds, determines and declares that the increased market value of the sites that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plan. The costs of acquisition, demolition, and site preparation of the proposed sites exceeds their market values as buildable sites.

2.08 The Council further finds, determines and declares that it is the intent of the City and the Agency that the property to be included in the District will be redeveloped according to the Plan, including pollution remediation as necessary, within five years in order to maximize its market value.

2.09 The Council further finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with Minnesota Statutes, Sections 469.174 through 469.179, as amended, and the Act, as amended.

2.10 The Council further finds, determines and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(a), and that it is the intent of the City and Agency that the entire fiscal disparity contribution required of the City for development occurring within the District be taken from outside this District.

2.11 The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve the Plan.

2.12 The Council hereby finds that the adoption and implementation of the Plan is necessary to assure the development and redevelopment of market rate housing within the City.

Section 3. Approval of the Plan

3.01 Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

4.01 The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget - Your Committee, having been informed that the Minneapolis Community Development Agency (MCDA) has been awarded grant funds totaling \$2,611,086 from the Minnesota Department of Trade and Economic Development (MTED), Metropolitan Council Livable Communities Tax Base Revitalization Account (TBRA) and the Hennepin County Environmental Response Fund (ERF), now recommends:

a) Acceptance of the following grants:

- DTED Contamination Cleanup for Heritage Park (\$539,794), Walker Art Center (\$300,000), and Karamu East (\$25,000);

- Metropolitan Council TBRA/CDA for Heritage Park (\$147,750), Washington Live Work (\$359,785), and Grain Belt Housing (\$775,000);

- Hennepin County Environmental Response Fund for 2101 Washington St NE (\$30,000), Cecil Newman Plaza (\$20,000), Heritage Park (\$143,750), Ripley Gardens (\$150,000), 1822 Park Av (\$50,000), Former Gas Holder No. 4 University of Minnesota (\$50,000), and Homewood Apartments (\$20,000);

b) Passage of the accompanying resolution amending the MCDA Appropriation Resolution by increasing Fund SMN by \$2,611,086 and the MCDA Revenue Budget.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Goodman moved to amend the report by:

a) Deleting acceptance of the Walker Art Center grant in the amount of \$300,000, for a new grant total of \$2,311,086; and

b) Amending the resolution by decreasing the appropriation to Fund SMN by \$300,000 and reducing the Fund SMN Revenue Budget (Source 3215-04) by \$300,000. Seconded.

Adopted upon a voice vote.
The report, as amended, was adopted 8/22/03.
Absent - Johnson Lee.

RESOLUTION 2003R-387
By Goodman & Johnson

Amending The 2003 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN by \$2,311,086 and the Revenue Budget in SMN by \$564,794 (Source 3215 -04 MN State Grants) and \$1,746,292 (Source 3215-13 Other MN Grantor Agencies).

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget - Your Committee, having under consideration applications from the City of Minneapolis requesting Family Housing Fund and Minneapolis Foundation predevelopment grant funding through the Metropolitan Council to assist reinvestment activities that support housing production, now recommends approval to submit applications for funding for the following projects:

- Agape Child Development Center, \$45,000;
- Karamu West, \$45,000;
- Nicollet Hotel Block Project, \$50,000;
- Lowell School Site, \$50,000.

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget - Your Committee, having under consideration applications from the City of Minneapolis requesting Family Housing Fund and Minneapolis Foundation predevelopment grant funding through the Metropolitan Council to assist reinvestment activities that support housing production, now recommends that applications for the following projects are not approved:

- 5238 & 5248 Minnehaha Av, \$40,000;
- 3254 Stinson Boulevard, \$40,000.

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget -Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County "second 7.5%" NRP funds in the amount of \$40,000 for the Longfellow Neighborhood for the purpose of funding a community organizer from June 1, 2003 through May 31, 2004, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$40,000;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request;
4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 268991).

Adopted 8/22/03.

Absent - Johnson Lee.

RESOLUTION 2003R-388
By Goodman & Johnson

Amending The 2003 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CNR0 by \$40,000 from the projected fund balance.

Adopted 8/22/03.

Absent - Johnson Lee.

Comm Dev & W&M/Budget -Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the transfer of \$135,000 of NRP Program funds to the Youth Coordinating Board (YCB) for youth initiatives as decided and directed by the Board of Directors of the YCB, now recommends:

1. Approval of the use of NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$135,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request;

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 268991).

Adopted 8/22/03.

Absent - Johnson Lee.

RESOLUTION 2003R-389
By Goodman & Johnson

Amending The 2003 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CNR0 by \$135,000 from the projected fund balance.

Adopted 8/22/03.

Absent - Johnson Lee.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee, to whom was referred an ordinance amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to *Civil Rights: In General*, preventing different treatment of persons with spouses versus persons with registered domestic partnerships in the areas of real estate, public accommodations, public services, and professional organizations, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 8/22/03.

Ordinance 2003-Or-108 amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to *Civil Rights: In General*, amending Sections 139.30 and 139.40 to prevent different treatment of persons with spouses versus persons with registered domestic partnerships in the areas of real estate, public accommodations, public services, and professional organizations, was passed 8/22/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-108
By Benson, Schiff, Lilligren and Zimmermann
Intro & 1st Reading: 7/25/03
Ref to: H&HS
2nd Reading: 8/22/03

Amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights. In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 139.30(a)(1) of the above-entitled ordinance be amended to read as follows:

139.30. Exemptions. (a) *Employment.* The provisions of section 139.40(a), (b) and (c) shall not apply to or prohibit:

- (1) The employment of any individual by his or her parent, grandparent, spouse, domestic partner as defined in Chapter 142 of the Minneapolis Code of Ordinances, child or grandchild, or in the domestic service of any person;

Section 2. That Section 139.40 (e), (g), (i), and (j) of the above-entitled ordinance be amended to read as follows:

139.40. Acts of discrimination specified. Without limitation, the following are declared to be unfair discrimination acts:

- (e) *Discrimination in real estate.* For an owner, lessee, sublessee, managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease any property, or any agent or employee of any of these:

- (1) To refuse to sell, rent or lease, to offer for sale, rental or lease, or otherwise deny or withhold any real property to or from any person or group of persons or to refuse to negotiate for the sale, rental or lease of any real property to any person or group of persons because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, status with regard to public assistance or familial status; ;
- (2) To represent that real property is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, status with regard to public assistance or familial status; ;
- (3) To discriminate against any person in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith, including application processes and fees, because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, status with regard to public assistance or familial status; ~~or~~ ;
- (4) To fail or refuse to make reasonable accommodations in rules, policies, practices or services when necessary to afford a disabled person an opportunity to use, enjoy or continue to use or enjoy a dwelling; ~~or~~ ;
- (5) To print, circulate or post, or cause to be printed, circulated or posted, any advertisement or sign, or use any form of application for the purchase, rental or lease of any real property, or make any record or inquiry verbal or written in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, status with regard to public assistance or familial status.
- (6) To fail to design and construct covered multifamily dwellings available for first occupancy after March 13, 1991, so that:

- a. The dwellings have at least one building entrance on an accessible route, unless it is impractical to do so because of terrain or unusual site characteristics; or
- b. With respect to dwellings with a building entrance on an accessible route:
 1. The public and common use portions are readily accessible to and usable by disabled persons; .
 2. There is an accessible route into and through all dwellings and units; .
 3. All doors designed to allow passage into, within and through these dwellings and individual units are wide enough for disabled persons in wheelchairs; .
 4. Light switches, electrical switches, electrical outlets, thermostats, and other environmental controls are in accessible locations; .
 5. Bathroom walls are reinforced to allow later installation of grab bars; ~~and~~ .
 6. Kitchens and bathrooms have space for an individual in a wheelchair to maneuver.

For purposes of this subsection, the term "covered multifamily dwellings" means:

- a. Buildings consisting of four (4) or more units if such buildings have one (1) or more elevators; ~~and~~ .
 - b. Ground floor units in other buildings consisting of four (4) or more units.
- (7) To fail to make reasonable accommodation to the known disability of a disabled person.
- (8) To provide services at different fee schedules between a person with a spouse and a person with registered domestic partner, or between a person with a spouse and children and a person with a registered domestic partner and children.
- (g) *Discrimination by professional organizations.* Except when based on a bona fide occupational qualification, for any professional association, because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, age, marital status, status with regard to public assistance, or familial status:
- (1) To deny full and equal membership rights to a person seeking membership or to a member; .
 - (2) To expel a member from membership; .
 - (3) To discriminate against a person seeking membership or a member with respect to the terms and conditions of membership, services and privileges associated with membership, participation in all membership activities and benefits, or any other aspect of membership; .
 - (4) To fail to properly classify a person seeking membership or a member with regard to the availability of membership services, cost of membership or otherwise discriminate against a person seeking membership or a member; .
 - (5) To fail to make reasonable accommodation to the known disability of a qualified disabled person unless the professional organization can demonstrate that the accommodation would impose an undue hardship on it.
- (6) To provide services at different fee schedules between a person with a spouse and a person with registered domestic partner, or between a person with a spouse and children and a person with a registered domestic partner and children.
- (i) *Discrimination in public accommodations.* For any person engaged in the provision of public accommodations, because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, or status with regard to public assistance:
- (1) To fail or refuse to provide to any person access to the use of and benefit from the services and facilities of such public accommodations; or.
 - (2) To discriminate against any person with respect to the availability of such services and facilities, the price or other consideration therefor, the scope and quality thereof, or the terms and conditions under which the same are made available, including terms and conditions relating to credit, payment, warranties, delivery, installation and repair.
- (3) To provide services at different fee schedules between a person with a spouse and a person with registered domestic partner, or between a person with a spouse and children and a person with a registered domestic partner and children.

(j) *Discrimination in public services.*

(1) For any person engaged in the provision of public services, because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, marital status, or status with regard to public assistance, to discriminate against any person, in the access to, admission to, full use of or benefit from any public service.

(2) To provide public services at different fee schedules between a person with a spouse and a person with a registered domestic partner, or between a person with a spouse and children and a person with a registered domestic partner and children.

Adopted 8/22/03.

H&HS - Your Committee, to whom was referred an ordinance amending Title 7, Chapter 142 of the Minneapolis Code of Ordinances relating to *Civil Rights: Civil Rights and Domestic Partnerships*, giving local effect to domestic partner registrations and other legally founded relationships from other jurisdictions, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 8/22/03.

Ordinance 2003-Or-109 amending Title 7, Chapter 142 of the Minneapolis Code of Ordinances relating to *Civil Rights: Civil Rights and Domestic Partnerships*, amending Section 142.30 and repealing Section 142.40 to give local effect to domestic partner registrations and other legally founded relationships from other jurisdictions, was passed 8/22/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-109
By Benson, Schiff, Lilligren and Zimmermann
Intro & 1st Reading: 7/25/03
Ref to: H&HS
2nd Reading: 8/22/03

Amending Title 7, Chapter 142 of the Minneapolis Code of Ordinances relating to Civil Rights: Civil Rights and Domestic Partnerships.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 142.30 of the above-entitled ordinance be amended to read as follows:

142.30 Registration of domestic partners. (a) The city clerk shall accept an application to register as domestic partners from persons who state in such application that they meet the definition of domestic partners set out in section 142.20 (a) ~~and that they meet the eligibility requirements provided in section 142.40.~~ Subsequent changes in address shall be promptly reported to the city clerk.

(b) The city clerk shall charge an application fee of twenty dollars (\$20.00) for the registration of {a} domestic partnership and shall charge a reasonable fee per document for providing certified copies of registrations, amendments or notices of termination. There shall be no charge for filing amendments or notices of termination.

(c) The city clerk shall provide each domestic partner with a registration certificate. The registration certificate shall not be issued prior to the third working day after the date of application.

(d) This application and certificate may be used as evidence of the existence of a domestic partners relationship.

(e) The city clerk shall keep a record of all registrations of domestic partnership, amendments to registrations and notices of termination received by the city clerk. The records shall be maintained so that amendments and notices of termination are filed with the registration of domestic partnership to which they pertain.

(f) The application and amendments thereto, the registration certificate, and termination notices shall constitute government data and will be subject to disclosure pursuant to the terms of the Minnesota Government Data Practices Act.

(g) For purposes of Chapters 139 and 142, upon production of valid, government-issued documentation and only to the extent of the rights and responsibilities established therein or elsewhere in the Minneapolis Code of Ordinances, the terms "domestic partnership" and "registered domestic partnership" shall include, in addition to domestic partnerships registered with the City of Minneapolis, and regardless of whether partners in either circumstance have sought further registration with the City of Minneapolis:

- (1) any person who has a currently registered domestic partnership with a governmental body pursuant to state, local, or other law authorizing such registration. The term domestic partnership should be construed broadly to include same-sex civil unions or other such same-sex unions in which two (2) same-sex individuals are committed to one another to the same extent as married persons are to each other, except for the traditional marital status and solemnities; and
- (2) marriages that would be legally recognized as a contract of lawful marriage in another local, state, or foreign jurisdiction.

Section 2. That Section 142.40 of the above-entitled ordinance be and is hereby repealed:

142.40. Eligibility for registration. ~~The city clerk shall only accept applications for registration of a domestic partnership from those persons: (1) in a partnership where both persons reside in the city; or (2) in a partnership in which at least one person works primarily in the City of Minneapolis, either as self-employed or for an employer; or (3) in a partnership in which at least one person is an employee of the City of Minneapolis.~~

Adopted 8/22/03.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committee submitted the following reports:

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to amend Master Contract #17177 with Family and Children's Services to increasing the amount by \$300,000, for a new total contact amount not to exceed \$400,000, to increase the funding cap to allow for current and future projects as various grants become available.

Adopted 8/22/03.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$514,906 and execute a grant agreement with the Minnesota Department of Health to develop and implement a County-wide Public Health Emergency Preparedness Plan during the period September 1, 2003 to August 31, 2004. Further, passage of the accompanying Resolution appropriating \$514,906 to Health & Family Support to reflect receipt of said grant funds.

Adopted 8/22/03.

Resolution 2003R-390, appropriating \$514,906 to Health & Family Support to develop and implement a County-wide Public Health Emergency Preparedness Plan, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-390
By Johnson Lee and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8621) by \$514,906 and increasing the Revenue Source (030-860-8621 – Source 3210) by \$514,906.

Adopted 8/22/03.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the United States Department of Labor, Ending Chronic Homelessness through Employment and Housing Program seeking up to \$625,000 to provide employment and support services through the non-profit organization Resource Inc to address chronic homelessness in Minneapolis.

Adopted 8/22/03.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a contract with Special School District #1 to receive up to \$35,100 to support Center for Learning Academic and Survival Skills (C.L.A.S.S.) participants who are in need of passing the basic skills test. Further, passage of the accompanying Resolution appropriating \$35,100 to Health & Family Support to reflect receipt of said funds.

Adopted 8/22/03.

Resolution 2003R-391, appropriating \$35,100 to support Center for Learning Academic and Survival Skills (C.L.A.S.S.) participants who are in need of passing the basic skills test, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-391
By Johnson Lee and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8600) by \$35,100 and increasing the Revenue Source (060-860-8600 – Source 3215) by \$35,100.

Adopted 8/22/03.

H&HS & W&M/Budget - Your Committee recommends that Kathleen Bots be hired at Step 5 of the Registered Professional Nurse salary schedule to reflect her previous tenure as a Registered Professional Nurse for the School Based Clinic Program.

Adopted 8/22/03.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee recommends approval of the Department of Regulatory Services/Environmental Management Division's comments relating to their review of the draft application of Spaulding Consultants, LLC, to seek a Federal Energy Regulatory Commission (FERC) license to build and operate a hydroelectric plant at Lower St. Anthony Falls (FERC #12451), as set forth in Petn No 268994.

Adopted 8/22/03.

Absent - Johnson Lee, Samuels.

IGR - Your Committee recommends approval of the official City comments to the Federal Energy Regulatory Commission's (FERC) Draft Environmental Assessment relating to Northern States

Power Corporation's (Xcel Energy's) St. Anthony Falls Hydroelectric Project (#2056-016), as set forth in Petn No 298994.

Adopted 8/22/03.

Absent - Johnson Lee, Samuels.

The **INTERGOVERNMENTAL RELATIONS and PUBLIC SAFETY & REGULATORY SERVICES** Committees submitted the following report:

IGR & PS&RS - Your Committee recommends approval of the City's list of potential public safety/criminal justice legislative issues for 2004, for preliminary consideration and further discussion at the Criminal Justice Coordinating Committee, as follows:

Supplemental Funding for the State Gang Strike Force; Extension of Metro Radio Board Sunset Date; 911 Surcharge Increase for Public Safety Answering Points; PBX Restrictions; Night Court/Nuisance Court; City Attorney Case Management System Funding Through Surcharge; Chronic Offenders/Enhancement of Certain Crimes to Felony Levels; 911 Consolidation-Mandated Statewide Study; Photo Cops; CrimMNet Funding; Data Practices Issues; Local Government Administrative Processes.

Adopted 8/22/03.

Absent - Johnson Lee, Samuels.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, including domestic partnerships in the definition of family, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 8/22/03.

Ordinance 2003-Or-110 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.40 to include domestic partnerships in the definition of family, was passed 8/22/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-110
By Benson, Schiff, Lilligren and Zimmermann
Intro & 1st Reading: 7/25/03
Ref to: PS&RS
2nd Reading: 8/22/03

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 244.40 of the above-entitled ordinance be amended by amending the following definition to read as follows:

244.40. Definitions. The following words and phrases when used in the housing maintenance code shall have the meanings respectively ascribed to them in this section:

Family: A "family" is an individual or two (2) or more persons related by blood, marriage, domestic partnership as defined in Chapter 142 of the Minneapolis Code of Ordinances, or adoption, including foster children and bona fide domestic servants employed on a full-time basis by the family in the dwelling unit, living together as a single housekeeping unit in a dwelling unit and also including

roomers, provided that the family plus the roomers shall not exceed a total of five (5) persons; provided further that the limit of five (5) persons shall not apply where the entire group living in the dwelling unit consists of persons related by blood, marriage or adoption including foster children and domestic servants.

Adopted 8/22/03.

PS&RS - Your Committee, having under consideration the application of Complete Beverage Service Inc, dba J.J.'s Dry Dock Cafe, 401 3rd St N, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2004, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 8/22/03.

Declining to Vote - Benson.

Approved by Mayor Rybak 8/22/03.

(Published 8/26/03)

PS&RS - Your Committee, having under consideration the application of Coffee Time Inc, dba Wilde Roast Cafe, 518 E Hennepin Av, for an On-Sale Wine Class C-1 with Strong Beer License (new business) to expire April 1, 2004 and a Sidewalk Cafe License (new business) to expire April 1, 2004, now recommends that said licenses be sent forward without recommendation.

Niziolek moved to amend the report by deleting the language "sent forward without recommendation" and inserting in lieu thereof the word "approved". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 8/22/03.

Declining to Vote - Benson.

PS&RS - Your Committee, having under consideration the application of Smith Lynn, dba Eat Street Cafe, 1410 Nicollet Av, for an On-Sale Wine Class B with Strong Beer License (new business) to expire April 1, 2004 and a Sidewalk Cafe License (new business) to expire April 1, 2004, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 8/22/03.

Declining to Vote - Benson.

PS&RS - Your Committee, having under consideration the application of Urban Entrepreneurs LLC, dba Independent, 3001 Hennepin Av, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership from Lake St Inc) to expire July 1, 2004, now recommends that said licenses be sent forward without recommendation.

Niziolek moved to amend the report by deleting the language "sent forward without recommendation" and inserting in lieu thereof the word "approved". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 8/22/03.

Declining to Vote - Benson.

PS&RS - Your Committee, having under consideration the application of Pop! Restaurant Inc, dba Pop! A Neighborhood Restaurant, 2859 Johnson St NE, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2004, now recommends that said license be sent forward without recommendation.

Niziolek moved to amend the report by deleting the language "sent forward without recommendation" and inserting in lieu thereof the word "approved". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 8/22/03.

Declining to vote - Benson.

Approved by Mayor Rybak 8/22/03.

(Published 8/26/03)

PS&RS - Your Committee, having under consideration the application of Blue & White Service Corp, dba Blue & White #172 and #194, 800 Washington Av N #650, for Taxicab Vehicle Licenses (person to person transfer from Aisha Sallam) to expire February 1, 2004, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 8/22/03.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 8/22/03.

Declining to Vote - Benson.

Resolution 2003R-392, granting applications for Liquor, Wine and Beer Licenses, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-392

By Niziolek

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

Off-Sale Liquor, to expire July 1, 2004

Simply Elegant Inc, dba Bottle House of Minneapolis, 150 2nd Av S;

Philmik Inc, dba Hennepin Lake Liquors, 1200 W Lake St;

Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S;

Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway;

Off-Sale Liquor, to expire October 1, 2004

D T B Corporation, dba Greenway Liquor, 105 W Grant St;

Hilton Hotels Corporation, dba Minneapolis Hilton, 1001 Marquette Av;

Skol Inc, dba Skol Liquors, 2500 27th Av S;

Meka Corp, dba Minnehaha Liquor Store, 2613 E Lake St;

France 44 Liquors Inc, dba France 44 Wines & Spirits, 4351 France Av S;

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2004

Radisson Minneapolis Corporation, dba Radisson Plaza Minneapolis, 35 S 7th St;

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2004

Hey City Theater Company, dba Hey City Theater, 824 Hennepin Av;

On-Sale Liquor Class A with Sunday Sales, to expire August 3, 2003

Old Chicago of Colorado Inc, dba Old Chicago, 2841 Hennepin Av (temporary expansion of premises with entertainment, August 1, 2003, 11:00 a.m. to 11:30 p.m.; August 2, 2003, 11:00 a.m. to 10:00 p.m.; August 3, 2003, 11:00 a.m. to 6:00 p.m.);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2004

St. Regis Blue Star LLC, dba St. Regis Tavern, 80 S 9th St;

Hilton Hotels Corporation, dba Minneapolis Hilton, 1001 Marquette Av;

Old Chicago of Colorado Inc, dba Old Chicago, 2841 Hennepin Av;

On-Sale Liquor Class B with Sunday Sales, to expire August 2, 2003

Shaw's Bar & Grill Inc, dba Shaw's Bar & Grill, 1528 University Av NE (temporary expansion of premises, August 2, 2003, 10:00 a.m. to 9:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2004

Conga Corporation, dba Conga Latin Bistro, 501 E Hennepin Av (sidewalk cafe expansion);

Fourth Street Saloon Inc, dba 4th Street Saloon, 328 W Broadway (temporary outdoor expansion of premises, August 16 & 17, 2003, 1:00 p.m. to 9:00 p.m., in parking lot);

Tubby's Inc, dba Tubby's Bar and Grill, 2500 4th St NE;

Toonen Inc, dba Uptown Bar & Cafe, 3016 Hennepin Av;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2004

Sirian Enterprises, dba Lees Liquor Bar, 101 Glenwood Av;

Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N, Suite 100;

On-Sale Liquor Class B with Sunday Sales, to expire September 6, 2003

Campus Partners, dba Sallys Saloon & Eatery, 712 Washington Av SE (temporary expansion of premises with entertainment, September 6, 2003, 6:00 p.m. to 10:00 p.m. at Walnut S Mall Parking Lot);

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2004

Rudolph's Bar B Que Inc, dba Rudolphs Bar B-Que, 1933 Lyndale Av S;

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2004

Kilimanjaro Cafe Inc, dba Kilimanjaro Cafe, 324 Cedar Av;

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2004

Local-An Epicurean Cafe & Pub, dba Local, 931 Nicollet Mall;

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2004

Aster Pictures Corporation, dba Aster, 125 Main St SE;

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2004

Tea House LLC, dba House of Lalibela Ethiopian Restaurant, 3300 E Lake St;

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2004

Hubert's Inc, dba Huberts Bar & Grill, 601 Chicago Av;

Mell's Beauty Bar Inc, dba Mell's Beauty Bar, 606 Washington Av N;

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2004

Jacob Morris Properties Inc, dba Cafe Havana, 119 Washington Av N;

On-Sale Liquor Class D with Sunday Sales, to expire July 1, 2004

101 Blu LLC, dba 101 BLU, 3001 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire August 17, 2003

Fossland-Olson Inc, dba Scotts 1029 Bar, 1029 Marshall St (temporary expansion of premises with entertainment, August 16, 2003, Noon to 10:00 p.m. and August 17, 2003, 1:00 p.m. to 8:00 p.m. in parking lot);

Azia Inc, dba Azia, 2550 Nicollet Av (temporary expansion of premises, August 16, 2003, Noon to 2:00 a.m.);

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2004

Pickled Parrot II LLC, dba Pickled Parrot, 1400 Lagoon Av (new license);

Fossland-Olson Inc, dba Scotts 1029 Bar, 1029 Marshall St;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2004

Pomodoro Inc, dba Three Fish, 3070 Excelsior Blvd;

On-Sale Liquor Class E with Sunday Sales, to expire August 23, 2003

Prestons of Mpls Inc, dba Sgt Prestons, 221 Cedar Av (temporary expansion of premises with outdoor entertainment, August 23, 2003, 2:00 p.m. to 10:00 p.m.);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2004

Kour Inc, dba Jacob's 101 Restaurant, 101 Broadway St NE;

Irv's Bar Inc, dba Irv's Bar, 201 W Broadway;

Preston's of Mpls Inc, dba Sgt Preston's, 221 Cedar Av;

Bob McNamara 44 Inc, dba Mac's Sports Bar/Grill, 301 Central Av SE;

Woman's Club of Mpls, dba Woman's Club of Mpls, 410 Oak Grove St;

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Av SE;

U Otter Stop Inn Inc, dba U Otter Stop Inn, 617 Central Av NE;

Sterling Hospitality Corp, dba Staccato, 1125 Marquette Av;

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2004

McCormick & Schmick Restaurant Corp, dba McCormick & Schmicks Seafood Restaurant, 800 Nicollet Mall;

Vegas Inc, dba Vegas Lounge, 965 Central Av NE, 1st floor;

Di Napoli Lounge Inc, dba Di Napoli Lounge, 814 Hennepin Av;

Temporary On-Sale Liquor

Theatre in the Round Players Inc, 245 Cedar Av, August 22, 2003, 6:00 p.m. to 11:00 p.m.;

On-Sale Wine Class A with Strong Beer, to expire April 1, 2004

Brave New Institute, dba Brave New Workshop, 2605 Hennepin Av;

On-Sale Wine Class D with Strong Beer, to expire April 1, 2004

Salmo International LLC, dba Jerusalem's Restaurant, 1518 Nicollet Av;

France 44 Foods Inc, dba France 44 Deli & Market, 4351 France Av S;

On-Sale Wine Class E with Strong Beer, to expire August 16, 2003

Pizza Luce II Inc, dba Pizza Luce, 3200 Lyndale Av S (temporary expansion of premises, August 16, 2003, 2:00 p.m. to 10:00 p.m.);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2004

The Noodle Shop Co Minnesota Inc, dba Noodles & Company, 616 Washington Av SE (new business);

Take One Enterprises Inc, dba Big Ten Restaurant & Bar, 606 Washington Av SE;

Molly's Inc, dba Broders Cucina Italiana, 2308 W 50th St;

Hop Lee Inc, dba Peking Garden Restaurant, 2324 University Av SE;

Nguyen-Vu Family Corp Inc, dba Saigon Uptown Restaurant, 3035 Lyndale Av S;

Molly's Inc, dba Broders Southside Pasta Bar, 5000 Penn Av S;

Pomodoro Inc, dba Prima Pasta Salads Panini, 5325 Lyndale Av S;

Food Forward Inc, dba Cave Vin, 5555 Xerxes Av S;

MDCA, dba Ecopolitan, 2409 Lyndale Av S;

On-Sale Beer Class E, to expire April 1, 2004

Tands Inc, dba Penn Station, 2203 44th Av N (change in ownership from Lloyd Brandvold);

Temporary On-Sale Beer

Church of St. Hedwig, dba Church of St. Hedwig, 129 29th Av NE (August 3, 2003, 11:00 a.m. to 3:00 p.m. at Church Hall);

Minnesota AIDS Project, dba Minnesota AIDS Project, 1400 Park Av (August 7, 2003, 9:00 p.m. to 12:45 a.m. at International Market Square);

St. Joseph Hien Church, dba Church Summer Fair, 1800 Dupont Av N (August 29, 2003, 5:00 p.m. to 10:00 p.m.; August 30, 2003, Noon to 10:00 p.m.; and August 31, 2003, 10:00 a.m. to 4:00 p.m.);

Church of All Saints, dba Church of All Saints, 435 4th St NE (September 7, 2003, 11:00 a.m. to 6:00 p.m.);

Annunciation Church, dba Septemberfest, 509 W 54th St (September 20 & 21, 2003, Noon to 10:00 p.m.);

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (October 12, 2003, Noon to 4:00 p.m. for Fall Festival in School Building);

De LaSalle High School, dba De LaSalle High School, One De LaSalle Dr (August 14, 2003, 5:45 p.m. to 8:00 p.m.).

Adopted 8/22/03.

Declining to Vote - Benson.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 8/22/03.

Resolution 2003R-393, granting applications for Business Licenses, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-393

By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of August 22, 2003 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 268999):

Amusement Devices; Caterers; Confectionery; Grocery; Meat Market; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Gasfitter Class A; Liquid Waste Hauler; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer - Used Only; Peddler - Foot; Peddler - Special Religious; Pet Shop; Plumber; Precious Metal Dealer; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Sign Hanger; Tattooist/Body Piercer; Taxicab Vehicle; Tobacco Dealer; Combined Trades.

Adopted 8/22/03.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 8/22/03.

Resolution 2003R-394, granting applications for Gambling Licenses, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-394

By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

St. John Byzantine Catholic Church, dba St. John Byzantine Catholic Church, 2215 3rd St NE (Bingo, raffle, paddlewheel & pulltabs October 19, 2003);

Womans Club of Minneapolis, dba Womans Club of Minneapolis, 410 Oak Grove St (Raffle November 29, 2003);

Cedar Lake Park Association, dba Cedar Lake Park Association, 2000 Aldrich Av S (Raffle August 17, 2003, at Eigen House, 1804 2nd Av N);

Church of St. Philip, dba Church of St. Philip, 2507 Bryant Av N (Raffle September 14, 2003);

Church of St. Helena, dba Church of St. Helena, 3204 E 43rd St (Bingo, raffle, pulltabs September 12, 13 & 14, 2003 at Church School);

Courage Center, dba Courage Center, 3915 Golden Valley Rd (Raffle October 4, 2003 at Loring Pasta Bar, 327 14th Av SE).

Adopted 8/22/03.

PS&RS - Your Committee recommends concurrence with the recommendation of the Mayor to appoint Denise M. Leezer, 5825 10th Av S (Ward 11) to the Citizens Environmental Advisory

Committee (CEAC) as an environmental advocacy representative, for a term to expire December 31, 2004.

Adopted 8/22/03.

PS&RS - Your Committee, having under consideration an update report on the Nuisance Night Court proposal, now recommends the following:

- a. that the report be received and filed.
- b. that staff from the City Attorney's Office and the Police Department be directed to report back to the Public Safety & Regulatory Services (PS&RS) Committee at the September 17th meeting with specific staffing and cost requirements for a pre-charging referral system, a post-charging referral system through the Traffic Violation Bureau and the Administrative Enforcement and Hearing process.
- c. that staff from the City Attorney's Office be directed to report back to Committee at the September 17th meeting with a proposed curriculum for a Livability Offenses Behavior Class.
- d. that staff from the Police Department's First Precinct be directed to work with the City Attorney's Office to further develop the pre-charging referral process and the increased use of the Administrative Enforcement and Hearing Process, and to report back to Committee at the September 17th meeting with specific recommendations regarding a pre-charging referral process and expanded use of the Administrative Enforcement and Hearing Process.
- e. that staff from the City Attorney's Office and the Intergovernmental Relations Office be directed to pursue the legislative options as set forth in the report contained in Petn No 268998 on file in the Office of the City Clerk.

Adopted 8/22/03.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute Amendment #2 to the grant agreement with the Police Executive Research Forum (PERF) to extend the grant period through December 31, 2003, or as approved by PERF, to allow additional time to expend the initial grant award of \$20,000 for community outreach under the Collaborative Leadership Project.

Adopted 8/22/03.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to begin charging a fee to the Automobile Insurance Personal Injury Fund for emergency medical care provided by the Fire Department at the scene of motor vehicle accidents (\$400 per patient), pursuant to Minnesota Statutes Section 366.011.

Adopted 8/22/03.

PS&RS & W&M/Budget - Your Committee recommends acceptance of bid meeting specifications received on OP #6125 (Petr No 269003) submitted by Cardiac Science, Inc., in the amount of \$142,811.40, to furnish and deliver semi-automated external defibrillators for the Fire Department, all in accordance with City specifications.

Adopted 8/22/03.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the United States Department of Justice, Bureau of Justice Assistance seeking \$852,798 of 2003 Local Law Enforcement Block Grant funds, to be shared with Hennepin County over a two-year period, to enhance the operational capabilities of the Police Department and provide staff support in the City Attorney's Office to respond to misdemeanor violations and citations made by the Police Department's Community Response Teams and CODEFOR.

Adopted 8/22/03.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to negotiate and execute an agreement with the State of Minnesota, Department of Administration, in an amount not to exceed \$90,000, for continued housing, maintenance and support of the Automated Pawn System (APS) hardware and network management during the period July 1, 2003 through June 30, 2004.

Adopted 8/22/03.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate with private property owners to acquire easements as necessary for the Loring Bike Project.

Adopted 8/22/03.

T&PW - Your Committee recommends authorization to accept a five-foot permanent wide sidewalk easement from Special School District No. 1, at no cost to the City as legally described below:

The north 485.60 feet of the easterly 5 feet of Lot 1, Block 1, Johnson's Rearrangement of Washburn Park, Hennepin County, Minnesota.

Adopted 8/22/03.

T&PW - Your Committee, having under consideration the maintenance agreement for the equipment information system, now recommends that the proper City officers be authorized to execute an amendment to Contract #11070 with Maximus (formerly known as Control Software Inc., Ltd.) for an estimated annual cost of \$32,000, to allow for ongoing annual maintenance and system support services through the life of the software.

Adopted 8/22/03.

T&PW - Your Committee recommends that the City accept resignations to the Nicollet Mall Advisory Board from David Sternberg, representing IDS Center/RREEF Management, and David Johnson, representing Brookfield Properties.

Your Committee further recommends approval to the Nicollet Mall Advisory Board of Jim Durda, representing RREEF Management, and David Sternberg, representing Brookfield Development, for terms expiring 12/31/04.

Adopted 8/22/03.

T&PW - Your Committee recommends passage of the accompanying Resolution, in recognition of Congressman Martin Olav Sabo as the National Organization to Insure a Sound-Controlled Environment's 2002 Legislator of the Year.

Adopted 8/22/03.

Resolution 2003R-395, recognition of Congressman Martin Olav Sabo as the National Organization to Insure a Sound-controlled Environment's 2002 Legislator of the Year, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-395

By Colvin Roy, Benson

Recognition of Congressman Martin Olav Sabo as the National Organization to Insure a Sound-controlled Environment's 2002 Legislator of the Year.

Whereas, airport noise continues to have a negative impact on the quality of life for thousands of south Minneapolis residents; and

Whereas, during his tenure in Congress, Congressman Sabo has worked tirelessly at the national level on the issue of airport noise; and

Whereas, Congressman Sabo has played a vital role in supporting one of the most comprehensive residential sound insulation programs in the United States by securing \$22.5 million of federal money for insulating homes around Minneapolis-St. Paul International Airport from airport noise since 1999; and

Whereas, Congressman Sabo also responded to his constituents by directing the FAA to take a serious look at the impacts of low frequency noise for the first time; and

Whereas, \$35 million has been allocated to research for quieter aircraft technology over the past two years because of Congressman Sabo's leadership to reduce aircraft noise at its source; and

Whereas, the National Organization to Insure a Sound-controlled Environment, an affiliate of the National League of Cities, awarded Congressman Sabo its 2002 Legislator of the Year Award;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That, on behalf of the residents of the City of Minneapolis, we extend our gratitude and deep appreciation to Congressman Martin Olav Sabo for his service and leadership on airport noise issues.

Adopted 8/22/03.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Humboldt Yard Traffic Study now recommends that Public Works be authorized to accept a check in the amount of \$15,000 from the Canadian Pacific Railway Co., on behalf of the Shingle Creek Neighborhood Association for the study and passage of the accompanying resolution increasing the project by \$15,000.

Adopted 8/22/03.

RESOLUTION 2003R-396
By Colvin Roy and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Engineering Design Agency for the Public Works Engineering Services Operating Fund (4100-600-6025) by \$15,000 funded from an increase to revenue source 3455 (4100 600 6025) by said amount.

Be It Further Resolved that the City Engineer is hereby ordered and directed to expend the funds on conducting a traffic study in the neighborhoods directly adjacent to their Humboldt Yard.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee, having under consideration the bicycle signage Neighborhood Revitalization Program (NRP) Project for Nokomis Neighborhood, now recommends approval of the bicycle directional way-finding signage project route layout (Petrn No. 269008) and passage of the accompanying resolution increasing the project by \$25,000 to be reimbursed by NRP.

Adopted 8/22/03.

RESOLUTION 2003R-397
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW-Transportation Capital Agency in the Permanent Improvement Fund (4100-943-9470) by \$25,000 and increasing revenue source (4100-943-9470 - Source 3845) by \$25,000 to be reimbursed by Neighborhood Revitalization Program per contract #018040.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee, having under consideration the Walker Arts Center contamination cleanup grant, now recommends acceptance of a \$300,000 grant from the State of Department of Trade and Economic Development and passage of the accompanying resolution increasing the 2003 Capital Improvement Appropriation Resolution by \$300,000 to reimburse Walker Arts Center for cleanup costs that will be reimbursed by the State of Minnesota's Department of Trade and Economic Development.

Adopted 8/22/03.

RESOLUTION 2003R-398
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW-Transportation Capital Agency in the State Grants Fund (0600-943-9480) by \$300,000 and increasing the Public Works Transportation Agencies revenue in the State Grant Fund (0600-943-9480 - Source 3215) by \$300,000 to reimburse Walker Arts Center for cleanup costs that will be reimbursed by Minnesota's Department of Trade and Economic Development.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute amendment to an agreement whereas Doherty Employment Group leases approximately 2,980 square feet in the Centre Village Municipal Parking Ramp for a monthly rent of \$900 per month in the first year and allow a rental increase not exceeding 10 percent (the amount to be negotiated by staff) per year in the second year. Said lease shall commence 10/1/03 and terminate 9/30/04 with an option to renew for one year.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee recommends that the proper City officer be authorized to negotiate and execute amendments to the NRG Energy Center Agreements which allow for the provision of steam heating and chilled water cooling to the following (Petn No. 269008):

- a) Loring Municipal Parking Ramp commencing 7/1/03 terminates 6/30/08 with an option to renew for three additional five-year periods;
- b) Centre Village Municipal Parking Ramp commencing 7/1/03 terminates 6/30/08 with an option to renew for three additional five-year periods; and
- c) Leamington Municipal Parking Ramp shall extend its end date to 6/30/08 with an option to renew for three additional five-year periods.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #6117 (Petn No 269006) submitted by Killmer Electric Company in the amount of \$995,000, for low level lighting project for Lowry Hill East Neighborhood.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project/service, contingent on approval of the Civil Rights Department.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee, having under consideration the recommendation to authorize the proper City officers to execute a contract amendment with Adolfson and Peterson increasing the amount by a maximum of \$445,000 for removal of buried debris at Columbia Heights Membrane Filtration Plant including asbestos containing materials, payable from the existing project budget;

now recommends:

T&W - That the matter be sent forward without recommendation.

W&M - Approval.

Colvin Roy moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Transportation and Public Works Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 8/22/03.

Approved by Mayor Rybak 8/22/03.

(Published 8/26/03)

T&PW & W&M/Budget - Your Committee, having under consideration federal funding for the Light Rail Transit enhancements as indicated in Petn No 269006, now recommends approval to submit three applications for the federal Transportation Equity Act for the 21st Century (TEA-21) funds passed through the state.

Your Committee further recommends approval to commit up to \$1.65 million of local resources per federal requirements to support the approved TEA-21 projects including a 20% local match, local funding for all ineligible expenses related to the projects, and commit to implementing funding for ongoing operations and maintenance expenses.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee, having under consideration the skyway connection between Hennepin County Public Safety Facility and Government Center Municipal Parking Ramp, now recommends approval of the following staff recommendations, subject to the final design submitted to the Planning Commission Committee of the Whole:

a) That the Director of Public Works be authorized to negotiate and sign a Right of Entry Agreement to allow work to begin;

b) That the Director of Public Works be authorized to negotiate and sign a letter of intent expressing the City and County agreements for the construction, operation, and maintenance of the skyway and outlining the understanding and processes to be used in constructing the skyway;

c) That the proper city officers be authorized to negotiate and prepare contracts for the signature of the proper city officers for the easements for the skyway into and through the Government Center Ramp and for the construction, maintenance, and operation of the skyway into and through the Government Center ramp. These contracts may also include provisions for the future skyway connection from the Public Safety Facility to the Haaf Municipal Ramp; and

d) That the proper city officers be authorized to negotiate and prepare contracts for the signature of the proper city officers that will modify the existing skyway agreement (City Contract #40129) between Hennepin County and City of Minneapolis as may be necessary to incorporate the additional requirements for the Public Safety Facility skyway.

Adopted 8/22/03.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving OP #6128, low responsive bidders submitted for public impound towing all in accordance with City specifications.

Adopted 8/22/03. Yeas, 11; Nays, 2 as follows:

Yeas - Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Colvin Roy, Schiff, Zerby, Ostrow.

Nays - Johnson, Zimmermann.

Resolution 2003R-399, granting approval of the bids for projects and/or services for the City of Minneapolis, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-399
By Colvin Roy and Johnson

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City Officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications. Contingent on approval of the Civil Rights Department.

(Petr. No. 269006)

OP #6128, low responsive bidders as indicated below for an total estimated expenditure of \$2,751,480.00 to furnish and deliver towing of vehicles from public or private property for Tow Districts A and B, Tow Zones 3-6, towing outside city limits as follows:

Schmit Towing Inc.	District A & Zone 3	Price per tow	51.50
Corgan Transport Inc.	District B & Zone 5	Price per tow	61.87
Chief's Towing Inc.	Zone 4	Price per tow	129.00
Chief's Towing Inc.	Zone 6	Price per tow	134.00
Corgan Transport Inc.	Per mile outside City limits	\$1.25	

- Impound Lot tow fee be changed from \$128.00 per tow to \$133.00 per tow.

- Storage fees be increased from \$15.00 per day to \$18.00 per day to cover the increased appropriation request due to the higher per tow charges paid to the tow contractors.

- Amend the 2003 Operating Budget appropriation resolution for the PW - Transportation Operating Agency in the Municipal Parking Fund (7500-685-6898-5110) by \$110,000.

- Increase revenue source 3455 (7500-685-6898) by \$110,000 to be reimbursed by tow and storage increases.

- Effective October 1st, 2003 upon the start date of the new tow contracts with contracts ending September 30, 2005 with the option to renew for an additional 3-year period.

Adopted 8/22/03. Yeas, 11; Nays, 2 as follows:

Yeas - Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Colvin Roy, Schiff, Zerby, Ostrow.

Nays - Johnson, Zimmermann.

T&PW & W&M/Budget - Your Committee, having under consideration the bid received on OP#6130, for the Central Av NE (TH65) Street Reconstruction Project, now recommends that all bids be rejected based on Federal funding for the project is not available.

Adopted 8/22/03.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having under consideration the New Central Library Project, now recommends approval of Change Order No. 5 increasing Contract #018707 with F.M. Frattalone & Grading, Inc. by \$39,645, for a new contract total of \$1,668,292.

Adopted 8/22/03.

Approved by Mayor Rybak 8/22/03.

(Published 8/26/03)

W&M/Budget - Your Committee recommends approval of the request of the Center for Energy and Environment to place an insert in the September 2003 utility bills, informing City residents of

below market energy and home improvement financing. A fee of \$.01 per insert will be charged to reimburse the City for additional mailing costs.

Adopted 8/22/03.

W&M/Budget - Your Committee recommends that the Finance Officer be authorized to reimburse City employees (including employees of the Minneapolis Park and Recreation Board, Library Board, Minneapolis Public Housing Authority and Youth Coordinating Board) for non-sufficient funds charges from their financial institutions resulting from the City's August 8, 2003 payroll issuance.

Adopted 8/22/03.

W&M/Budget - Your Committee, having under consideration the Government Accounting Standards Board (GASB) Project, now recommends that the proper City officers be authorized to increase the City's professional services agreement with Deloitte & Touche (Contract #173340) by \$150,000 to match the approved contract budget.

Adopted 8/22/03.

Declining to vote - Schiff.

W&M/Budget - Your Committee recommends that the proper City be authorized to accept the City's FY2003 grant entitlement for the Minneapolis Empowerment Zone (EZ) in the amount of \$1,987,000 from the U.S. Department of Housing and Urban Development (HUD).

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development Agency to reflect the receipt of said funds.

Adopted 8/22/03.

RESOLUTION 2003R-400

By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the Federal Grants Fund (0300-890-8960) by \$1,987,000 and increasing the revenue source (0300-890-8960 - Source 3210) by \$1,987,000.

Adopted 8/22/03.

W&M/Budget - Your Committee, having under consideration the *Mosaic - Celebrating the Arts and Cultures of Minneapolis* Event, now recommends authorization to accept funds totaling \$40,000 in support of the event from U.S. Bank Corp (\$25,000), Piper Jaffray (\$5,000) and the Minneapolis Foundation (\$10,000).

Your Committee further recommends passage of the accompanying resolution increasing the Planning Department Agency to reflect the receipt of said funds.

Adopted 8/22/03.

RESOLUTION 2003R-401

By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the Grants - Other Fund (0600-380-3860) by \$40,000 and increasing the revenue source (0600-380-3860 - Source 3720-01 MISC) by \$40,000.

Adopted 8/22/03.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept and enter a grant agreement for a federal Certified Local Government grant (administered by the State Historic Preservation Office of the Minnesota Historical Society) in the amount of \$12,000 to be used to revise the City's survey of historic properties for portions of Northeast Minneapolis.

Your Committee further recommends passage of the accompanying resolution increasing the Planning Department Agency to reflect the receipt of said funds.

Adopted 8/22/03.

RESOLUTION 2003R-402

By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the Federal Grants Fund (0300-380-3820) by \$12,000 and increasing the revenue source (0300-380-3820 - Source 3210) by \$12,000.

Adopted 8/22/03.

W&M/Budget - Your Committee recommends passage of the accompanying resolution approving an Enterprise Information Management (EIM) Policy for the City and establishing a EIM Policy Board.

Adopted 8/22/03.

Resolution 2003R-403, approving the Enterprise Information Management (EIM) Policy and establishing the EIM Policy Board, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-403

By Lilligren

Approving the Enterprise Information Management (EIM) Policy and Establishing the EIM Policy Board.

Whereas, the City of Minneapolis recognizes that information both electronic and paper, is vital to all functions of the city; and

Whereas, the City of Minneapolis strives to share information among departments and expand citizen access to information (e-government and customer service); and

Whereas, the City of Minneapolis is committed to managing all resources in the most cost-effective manner; and

Whereas, the City of Minneapolis acknowledges the need to comply with new legislative and statutory requirements for information management and to reduce risks associated with litigation;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That an Enterprise Information Management Policy be adopted and departments be directed to integrate the policy into their business planning processes.

Be It Further Resolved that a five-member EIM Policy Board be created for the purpose of establishing and monitoring the policies and procedures governing the design, implementation, maintenance, management and sharing of information within the City of Minneapolis and between the City and other jurisdictions. Board membership shall consist of the Chief Information Officer, the City Clerk, the City Attorney, the City Coordinator and one Council Member selected by the Council President. Board membership will be supplemented by work groups of City staff as

established by the Board. The Board will report annually its work plans and accomplishments to the Ways and Means/Budget Committee.

Adopted 8/22/03.

W&M/Budget - Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) and the establishment of funding priorities for Phase II of the program, now recommends:

a) Passage of the accompanying Ordinance amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program; and

b) Passage of the accompanying Resolution providing funding for a Discretionary Development Funding Plan for the period of 2004-2009; and

c) That an amendment to the Target Center Finance Plan to remove the entertainment tax from the approved plan and transfer said funds to the City's General Fund, subject to any previous agreement that pledges the entertainment tax to any outstanding bonds of the City, be **forwarded without recommendation**.

Johnson moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

W&M/Budget - Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) and the establishment of funding priorities for Phase II of the program, now recommends:

a) Passage of the accompanying Ordinance amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program; and

b) Passage of the accompanying Resolution providing funding for a Discretionary Development Funding Plan for the period of 2004-2009; and

c) Approval of a Target Center Finance Plan Direction to Staff as follows:

1. Direct staff to amend the Target Center Finance Plan to add Common Project tax increment in an amount necessary to meet the debt service shortfall in the current Finance Plan and up to \$14 million for near term capital improvements as outlined in Patrick Born's August 20, 2003 memorandum to the City Council and Mayor and as described in the Finance Department's June 4, 2003 "Base Case plus Target Center non-CP revenues" analysis (Petn No 269013);

2. Authorize the City Coordinator, the Community Planning and Economic Development (CPED) Director and/or their designees to negotiate with the Timberwolves and Clear Channel: (a) the amount and nature of capital improvements to be financed from the amended finance plan for the Target Center; and (b) the methods and sources to finance the long term capital improvement needs of the Target Center.

Niziolek moved to divide the report so as to consider separately paragraphs A, B and C. Seconded.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas - Johnson Lee, Niziolek, Benson, Goodman, Lane, Johnson, Colvin Roy, Schiff, Zerby, Ostrow.

Nays - Lilligren, Samuels, Zimmermann.

W&M/Budget - Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) and the establishment of funding priorities for Phase II of the program, now recommend passage of the accompanying Ordinance amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program.

Johnson moved to amend Section 419.55 of the ordinance as follows:

a) Amend Section 419.55 (b) by adding a subsection 5 to read “(5) If a strategy in an approved neighborhood action plan has not expended 50% of the allocated dollars in three (3) years, the neighborhood must verify that the strategy remains appropriate or the strategy must be changed or the dollars will be reallocated to the NRP program.”;

b) Amend Section 419.55 (b) by adding a new subsection 6 to read “(6) No more than 20% of the program dollars expended (on an annual basis) may be used for administrative costs, both in central administration and at neighborhood level.” Seconded.

Johnson's motion was adopted upon a voice vote.

Goodman moved to amend Section 419.30 of the Ordinance by adding a new subdivision (c) to read as follows:

“ (c) To achieve the chapter 604 requirement that at least 52.5 percent of the funds reserved for neighborhood revitalization be expended on housing programs and related purposes, the policy board shall take the following actions:

(1) Commission an independent audit of compliance with the chapter 604 requirement for neighborhood revitalization program funds under contract or expended through June 30, 2003. The audit shall allocate contracted and actual expenditures for housing programs and related purposes among the following cost categories:

a. creation of new rental housing units affordable to persons whose annual incomes do not exceed (i) thirty percent of and (ii) fifty percent of the median family income;

b. rehabilitation or preservation of existing rental housing units affordable to persons whose annual incomes do not exceed (i) thirty percent of and (ii) fifty percent of the median family income;

c. provision of affordable ownership housing opportunities, including first-time home buyers' mortgages (with income qualifications);

d. rehabilitation of existing housing units through housing loan and grant programs with income qualifications;

e. rehabilitation of existing housing units through housing loan and grant programs without income qualifications; and

f. administrative costs associated with the operation of housing projects, programs, services and activities.

The policy board shall complete the audit by October 15, 2003.

(2) Develop a plan to make up any deficiency identified by the audit using existing phase I fund balances and/or phase II funds. The plan shall include a timeframe and measurable outcomes that are consistent with city housing plans and policies as well as neighborhood action plans. The policy board shall submit the plan to the city council by October 22, 2003, for consideration consistent with section 419.70.

(3) Prepare and transmit by July 1 of each year to the governmental bodies represented on the policy board an annual recommended budget and five year plan for use of the phase II funds and any other funds made available to the policy board consistent with city goals, plans and policies, approved neighborhood action plans and applicable laws, ordinances and resolutions. The policy board submission will constitute its recommendations to the mayor and other appropriate parties for consideration in the budget deliberations for the upcoming year.” Seconded.

Colvin Roy moved to amend the Goodman motion by amending subsection (c), paragraph (2) by adding after “October 22, 2003” the language “and each October to the end of the program” and moving that language to the end of the sentence. Seconded.

Adopted upon a voice vote

Goodman's motion, as amended, was adopted upon a voice vote.

The report, as amended, was adopted 8/22/03.

Ordinance 2003-Or-111 amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program, establishing funding priorities for Phase II of the Neighborhood Revitalization Program and related amendments, was passed 8/22/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

ORDINANCE 2003-Or-111
By Lane, Ostrow, Goodman, Benson and Zerby
Intro & 1st Reading: 3/21/03
Ref to: Comm Dev & W&M/Budget
2nd Reading: 8/22/03

Amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 419.20(a) of the above-entitled ordinance be amended by adding thereto the following definitions in alphabetical sequence to read as follows:

419.20. Definitions and general guidelines. (a) In this chapter, unless a different meaning clearly appears from the context:

Agency means the Minneapolis Community Development Agency, its successors or assigns.

Discretionary development funding plan means that certain resolution adopted by the city council on August 22, 2003, providing funding for discretionary development activities from 2004 through 2009.

Neighborhood action plan means the plan developed with the participation of neighborhood residents under subdivision 6 of the neighborhood revitalization program law.

Phase I means the first phase of the neighborhood revitalization program (1990-2000), funded by the Phase I funds.

Phase I funds means the city neighborhood revitalization program funds reserved from 1990 through 2000.

Phase II means the second phase of the neighborhood revitalization program (2001-2009), funded by the Phase II funds.

Phase II funds means twenty million dollars (\$20,000,000.00) in 2001, eleven million dollars (\$11,000,000.00) in 2002 and, for 2003 through 2009, the funds required to be reserved for neighborhood revitalization under chapter 604, subject to the priorities stated in section 419.35.

Sources of securities and repayment shall have the meaning set forth in the discretionary development funding plan.

Tax increment act means Minnesota Statutes, Sections 469.174-469.1799, as amended, which establishes the powers relating to use of tax increment.

Section 2. That Section 419.30 of the above-entitled ordinance be amended by adding thereto a new subdivision (c) to read as follows:

419.30. Neighborhood revitalization program.

(c) To achieve the chapter 604 requirement that at least 52.5 percent of the funds reserved for neighborhood revitalization be expended on housing programs and related purposes, the policy board shall take the following actions:

- (1) Commission an independent audit of compliance with the chapter 604 requirement for neighborhood revitalization program funds under contract or expended through June 30, 2003. The audit shall allocate contracted and actual expenditures for housing programs and related purposes among the following cost categories:
 - a. Creation of new rental housing units affordable to persons whose annual incomes do not exceed (i) thirty percent of and (ii) fifty percent of the median family income.
 - b. Rehabilitation or preservation of existing rental housing units affordable to persons whose annual incomes do not exceed (i) thirty percent of and (ii) fifty percent of the median family income.
 - c. Provision of affordable ownership housing opportunities, including first-time homebuyers' mortgages (with income qualifications).
 - d. Rehabilitation of existing housing units through housing loan and grant programs with income qualifications.

- e. Rehabilitation of existing housing units through housing loan and grant programs without income qualifications.
- f. Administrative costs associated with the operation of housing projects, programs, services and activities.

The policy board shall complete the audit by October 15, 2003.

- (2) Develop a plan to make up any deficiency identified by the audit using existing phase I fund balances and/or phase II funds. The plan shall include a timeframe and measurable outcomes that are consistent with city housing plans and policies as well as neighborhood action plans. The policy board shall submit the plan to the city council for consideration consistent with section 419.70 by October 22, 2003 and each October to the end of the program.
- (3) Prepare and transmit by July 1 of each year to the governmental bodies represented on the policy board an annual recommended budget and five (5) year plan for use of the phase II funds and any other funds made available to the policy board consistent with city goals, plans and policies, approved neighborhood action plans and applicable laws, ordinances and resolutions. The policy board submission will constitute its recommendations to the mayor and other appropriate parties for consideration in the budget deliberations for the upcoming year.

Section 3. That a new Section 419.35 be added to the above-entitled ordinance to read as follows:

419.35. Common project priorities for phase II. (a) Tax increment and other revenues generated from the common project, but excluding the sources of security and repayment, shall, for purposes of phase II, be applied in accordance with the following priorities in order given.

- (1) Payment or reservation for payment of any debt obligations, contractual obligations or other obligations incurred by the agency or the city from time to time with respect to the common project;
- (2) Payment of tax increment administration costs related to the common project as permitted pursuant to the tax increment act;
- (3) Reservation of phase II funds pursuant to this chapter, except that no more than \$20,000,000 shall be reserved for neighborhood revitalization in any fiscal year; and
- (4) General development purposes, as permitted by law.

(b) The sources of security and repayment shall be applied in accordance with the discretionary development funding plan.

(c) The revenues identified in that certain target center finance plan adopted by the city council in 1995, as amended through August 22, 2003, including revenues not generated by the common project, shall be applied to offset target center obligations.

Section 4. That Section 419.40 of the above-entitled ordinance be amended to read as follows:

419.40. Commitment of city neighborhood revitalization program funds. (a) Phase I. In furtherance of the goals stated in section 419.30 (a), the city hereby commits to provide the ~~city neighborhood revitalization program phase I~~ funds, commencing in 1990 through and including 2000, for phase 1 of the neighborhood revitalization program.

(b) Phase II. In furtherance of the goals stated in section 419.30(b), and subject to the priorities established by section 419.35, the city hereby commits to reserve the phase II funds for phase II neighborhood action plans, commencing in 2001 through and including 2009, to the extent that such funds are available pursuant to section 419.35. The difference, if any, between the total phase II funds reserved in any fiscal year and the twenty million dollar (\$20,000,000.00) cap shall not be carried forward to any subsequent fiscal year.

Section 5. That Chapter 419 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 419.55 to read as follows:

419.55. Phase II neighborhood revitalization program process. The provisions of section 419.50 shall apply only to phase I of the neighborhood revitalization program. The following provisions apply to phase II of the neighborhood revitalization program.

(a) Purposes; qualifying costs. Neighborhood action plans may provide for expenditure of phase II funds for the following purposes:

- (1) To eliminate blighting influences by acquiring and clearing or rehabilitating properties that the city finds have caused or will cause a decline in the value of properties in the area or will increase the probability that properties in the area will be allowed to physically deteriorate.
- (2) To assist in the development of industrial properties that provide employment opportunities paying a livable income to the residents of the neighborhood and that will not adversely affect the overall character of the neighborhood.
- (3) To acquire, develop, construct, physically maintain, rehabilitate, renovate, or replace neighborhood commercial and retail facilities necessary to maintain neighborhood vitality.
- (4) To eliminate health hazards through the removal of hazardous waste and pollution and return of land to productive use, if the responsible party is unavailable or unable to pay for the cost.
- (5) To rehabilitate existing housing and encourage homeownership.
- (6) To construct new housing, where appropriate.
- (7) To rehabilitate and construct new low-income, affordable rental housing.
- (8) To remove vacant and boarded up houses.
- (9) To rehabilitate or construct community-based nonprofit and public facilities necessary to carry out the purpose of the neighborhood revitalization program.
- (b) Phase II funds; distribution and restrictions.
 - (1) Phase II funds may only be expended in accordance with the neighborhood revitalization program
 - (i) for a purpose listed in section 419.55(a); or
 - (ii) as provided in subdivision 4 of the neighborhood revitalization program law, including the promotion of neighborhood safety and stability through community crime prevention programs and activities such as neighborhood block and police patrols, block clubs and community outreach; or
 - (iii) to cover administrative costs attached to implementation of strategies contained in approved neighborhood action plans.
 - (2) Phase II funds may not be used in those project areas of the city where the city determines that private investment will be sufficient to provide for development and redevelopment of the project area without public sector assistance, except in cases where phase II funds are being used to remove or rehabilitate structurally substandard or obsolete buildings in a manner consistent with the neighborhoods' priorities as reflected in an approved neighborhood action plan.
 - (3) Except as provided in the neighborhood revitalization program law, revenues derived from tax increments may only be expended for the purposes otherwise permitted by law.
 - (4) A minimum of 52.5 percent of the phase II funds must be expended on housing programs and related purposes. Compliance with this provision shall be measured annually. The phase II target for housing programs and related purposes shall be adjusted to accommodate for any shortfall in expenditures in phase I such that the total expended in phase I and phase II for housing programs and related purposes shall be no less than 52.5 percent.
 - (5) If a strategy in an approved neighborhood action plan has not expended 50% of the allocated dollars in three (3) years, the neighborhood must verify that the strategy remains appropriate or the strategy must be changed or the dollars will be reallocated to the NRP program.
 - (6) No more than 20% of the program dollars expended (on an annual basis) may be used for administrative costs, both in central administration and at neighborhood level.
- (c) General principles. Phase II of the neighborhood revitalization program must be developed based on the following general principles:
 - (1) The social needs of neighborhood residents, particularly lower income residents, must be addressed to provide a safe and healthy environment for neighborhood residents, provide for the self-sufficiency of families, and increase the economic and social stability of neighborhoods.

(2) The children residing in the neighborhoods must be given the opportunity for a quality education and the needs of each neighborhood must be addressed individually wherever possible.

(3) The physical structure of the neighborhoods must be enhanced by providing safe and suitable housing and infrastructure to increase the desirability of neighborhoods as places to live.

(d) Required program elements. Phase II of the neighborhood revitalization program must include the following:

(1) The identification of the neighborhoods that require assistance through the program.

(2) A strategy of the citizen participation required under this chapter.

(3) The neighborhood action plans required under this chapter.

(4) The activities of participating organizations undertaken to address the general principles.

(5) An evaluation of the success of the neighborhood action plans.

(e) Neighborhood action plans. Phase II of the neighborhood revitalization program must include the preparation and implementation of neighborhood action plans. The city must organize neighborhoods to prepare and implement the neighborhood action plans. The neighborhoods must include the participation of, whenever possible, all populations and interests in each neighborhood including renters, homeowners, people of color, business owners, representatives of neighborhood institutions, youth, and the elderly. Each neighborhood action plan must be submitted to the policy board established under this chapter and the neighborhood revitalization program law. The city will provide available resources, information, and technical assistance to prepare the neighborhood action plans.

(f) Approval. The policy board shall review, modify where appropriate, and approve, in whole or in part, the neighborhood action plans and forward its recommendations for final action to the governing bodies represented on the policy board. The city council shall review, modify where appropriate, and give final approval, in whole or in part, to those actions over which it has programmatic jurisdiction.

Section 6. That Section 419.70 of the above-entitled ordinance be amended to read as follows:

419.70. Program recommendations. (a) The mayor and the city council will use the following criteria in considering neighborhood action plan strategies for use of ~~city neighborhood revitalization program phase I funds and phase II funds~~:

(1) Demonstrated public purpose of the strategies.

(2) Demonstrated need for the strategies.

(3) Short-term or long-term needs of the neighborhood.

(4) Benefiting population.

(5) Ability of the strategies to provide a return on the investment.

(6) Coordination with programming elements or providers.

(7) Availability of operating or maintenance funds.

(8) Lack of alternative sources of revenue.

(9) One-time or ongoing capital requirement.

(10) Multijurisdictional benefits of the strategies.

(11) Neighborhood revitalization benefits of the strategies.

(12) Demonstrated ability of the neighborhood revitalization program as a whole to meet the 52.5 percent funding requirement for housing programs and related purposes.

(13) The extent to which the strategies leverage existing city programs and funds to accomplish city housing and development objectives in the neighborhoods that carry out the purposes of the neighborhood revitalization program.

(b) Concurrent with approval of each neighborhood action plan, the city council will ~~appropriate reserve city neighborhood revitalization program phase I or phase II funds of the Minneapolis Community Development Agency, as appropriate, for appropriation and expenditure consistent with such action plan.~~

(c) Because of the acknowledged substantial unmet need and severe lack of resources available for disadvantaged youth in the City of Minneapolis, beginning in 1990 and continuing through 2003, the city council, at the request of the policy board, shall appropriate two hundred

thousand dollars (\$200,000.00) of the city neighborhood revitalization program funds each year to the multi-jurisdictional youth coordinating board from non-tax increment sources.

(d) With respect to phase I only, ~~¶~~the amounts made available during the first phase of the neighborhood revitalization program to Special School District No. 1 and to Hennepin County for education programs and services and for social services, respectively, must be expended as part of an approved neighborhood action plan, as required by subdivision 4 of the neighborhood revitalization program law. The boards of Special School District No. 1 and Hennepin County shall each approve appropriations from the funds available to them from the neighborhood revitalization program and shall forward proposed strategies to the policy board for approval.

Adopted 8/22/03.

W&M/Budget - Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) and the establishment of funding priorities for Phase II of the program, now recommends passage of the accompanying Resolution providing funding for a Discretionary Development Funding Plan for the period of 2004-2009.

Goodman moved to amend the resolution as follows:

a) Amend Section 2.05 by striking the amount "\$3,330,000.00" and inserting in lieu thereof the amount "\$3,679,000.00"; and

b) Striking Section 3.03 in its entirety. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 8/22/03. Yeas, 12; Nays, 1 as follows:

Yeas - Lilligren, Johnson Lee, Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Ostrow.

Nays - Niziolek.

Resolution 2003R-404, providing funding for a Discretionary Development Funding Plan for the period of 2004-2009, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-404

By Lane, Ostrow, Goodman, Benson and Zerby

Providing funding for Discretionary Development Activities from 2004-2009.

Resolved by the City Council of the City of Minneapolis:

Section 1. Title. This resolution shall be known as the Discretionary Development Funding Plan.

Section 2. Definitions.

2.01. "*Legacy Fund*" means that certain investment trust account containing the proceeds of the 1999 sale of the MCDA's interest in the Hilton Hotel property.

2.02. "*Sources of Security and Repayment*" means the proceeds of any repayment or other receipt of funds relative to the Brookfield Loan and the proceeds of any sale or other disposition of the MCDA's interest in the Saks Parcel, including net income from operation of the Saks Parcel, if any.

2.03. "*Brookfield Loan*" means that certain MCDA loan for the Gaviidae II project to BCED Minnesota, Inc. in the original principal amount of \$15,000,000 maturing December 19, 2008, unless extended one year by the borrower pursuant to an option in the loan documents.

2.04. "*Discretionary Development Activities*" means such discretionary development activities as the City Council and/or the MCDA Board of Commissioners may from time to time direct through their budgeting and business planning processes.

2.05. "*Installment Amount*" means an amount not to exceed Three Million Six Hundred Seventy Nine Thousand and No/100 Dollars (\$3,679,000.00) in any calendar year.

2.06. "*Loan*" means the loan authorized by Section 3.01 of this resolution (inclusive of principal and interest accrued hereunder).

2.07. "*MCDA*" means the Minneapolis Community Development Agency, its successors and assigns.

2.08. "*Loan Amount Due*" means the total principal amount and accrued interest outstanding under this resolution at any given point in time.

2.09. "*Saks Parcel*" means that portion of the Gaviidae I project currently owned by MCDA, subject to certain legal claims by Brookfield Market, Inc., and leased to Saks and M & I Bank.

Section 3. Loan Authorization.

3.01. Loan. In calendar years 2004 through and including 2009, the MCDA or its successor in interest may borrow up to Twenty-Two Million and No/100 Dollars (\$22,000,000.00) from the Legacy Fund for Discretionary Development Activities as provided herein.

3.02. Installments. The Loan may be drawn down in an annual amount not to exceed the Installment Amount by action of the Mayor and City Council and/or the MCDA Board of Commissioners, as appropriate, in accordance with the process set forth in Section 5.01 below.

Section 4. Loan Repayment.

4.01. Repayment and Security. The Loan shall be secured with and repaid from the Sources of Security and Repayment and such other funds as the City Council may direct, if any.

4.02. Repayment Priority. Repayment of the Loan shall have first priority with respect to the Sources of Security and Repayment. No money from the Sources of Security and Repayment shall be allocated, reserved, pledged, expended or otherwise encumbered to or for any other use while there remains an amount due on the Loan.

4.03. Time of Repayment. Money from the Sources of Security and Repayment shall be applied to repay the Loan and credited to the Legacy Fund at the time they are received.

4.04. Excess Sources of Security and Repayment. In the event that the money received from the Sources of Security and Repayment exceeds the Loan Amount Due at the time when the money is received, the balance in excess of the Loan Amount Due shall be reserved for Discretionary Development Activities. Any such balance must be drawn down under this resolution for Discretionary Development Activities, up to an annual maximum of the Installment Amount, before additional money may be drawn down under the Loan. In the event that the outstanding balance is less than the Installment Amount in any calendar year eligible for a loan installment, the Loan may be drawn down so that the total of the outstanding balance and the loan installment do not exceed the Installment Amount.

Section 5. Further Actions.

5.01. Annual Process. Subject to Section 4.04 above, the Mayor and City Council and/or the MCDA Board of Commissioners, as appropriate, shall act annually as part of their budget process to set the amount of the annual installment and shall direct staff to transfer funds from the Legacy Fund to the appropriate City or MCDA fund as part of the adopted budget.

5.02. Status. As part of the annual budget process or as may otherwise be deemed reasonable or necessary by the Finance Officer, staff shall present to the Mayor and City Council and/or the MCDA Board of Commissioners, as appropriate, the status of the Loan and the Sources of Security and Repayment.

5.03. Authority to Pay. Staff shall make repayments hereunder as Sources of Security and Repayment become available for repayment at such time and in such manner as the Finance Officer may direct without the need for further action by the Mayor and City Council and/or the MCDA Board of Commissioners.

Adopted 8/22/03. Yeas, 12; Nays, 1 as follows:

Yeas - Lilligren, Johnson Lee, Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Ostrow.

Nays - Niziolek.

W&M/Budget - Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) and the establishment of funding priorities for Phase II of the program, now recommends approval of a Target Center Finance Plan Direction to Staff as follows:

1. Direct staff to amend the Target Center Finance Plan to add Common Project tax increment in an amount necessary to meet the debt service shortfall in the current Finance Plan and up to \$14 million for near term capital improvements as outlined in Patrick Born's August 20, 2003 memorandum to the City Council and Mayor and as described in the Finance Department's June 4, 2003 "Base Case plus Target Center non-CP revenues" analysis

(Petr No 269013);

2. Authorize the City Coordinator, the Community Planning and Economic Development (CPED) Director and/or their designees to negotiate with the Timberwolves and Clear Channel: (a) the amount and nature of capital improvements to be financed from the amended finance plan for the Target Center; and (b) the methods and sources to finance the long term capital improvement needs of the Target Center.

Niziolek moved to amend the substituted report, as amended, by adding to the Target Center Finance Plan Direction to Staff a new Item 3 to read as follows:

"3. Approval of an amendment to the Target Center Finance Plan to remove the entertainment tax from the approved plan and transfer said funds to the City's General Fund, subject to any previous agreement that pledges the entertainment tax to any outstanding bonds of the City." Seconded.

Lost upon a voice vote.

The report was adopted 8/22/03.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, to whom was referred the Planning Commission's recommendation to deny the application of Scott Weber to rezone the Cedar Beach Apartments property at 2601 Sunset Blvd from R1 to the R5 District to make the existing 19-unit residential building a conforming use, now recommends that said application be forwarded without recommendation.

Schiff moved to amend the report by deleting the language, "forwarded without recommendation" and inserting in lieu thereof, "denied, and that the related findings prepared by the Planning Department be adopted." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 8/22/03. Yeas, 9; Nays, 4 as follows:

Yeas - Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Schiff, Zerby, Ostrow.

Nays - Lilligren, Johnson Lee, Niziolek, Zimmermann.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of RS Eden (#1418) to vacate the alley right-of-way adjacent to 1931 W Broadway, between Newton and Oliver Aves, to permit parking and snow storage accessory to a proposed mixed-use development, subject to retention of easement rights, and to adopt the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying resolution vacating said right-of-way.

Adopted 8/22/03.

Resolution 2003R-405, vacating part of the public alley adjacent to 1931 W Broadway, between Newton and Oliver Aves, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-405

By Schiff

Vacating part of the public alley adjacent to 1931 West Broadway, between Newton Avenue and Oliver Avenue.

Resolved by The City Council of The City of Minneapolis:

That all that portion of the alley as dedicated in Block 23, FOREST HEIGHTS, according to the recorded plat thereof, Hennepin County, Minnesota, which lies southeasterly and northeasterly of a line described as beginning at the most westerly corner of Lot 9, said Block 23; thence South 66 degrees 39 minutes 40 seconds West, assumed bearing, along the southwesterly extension of the northerly line of said Lot 9, a distance of 19.29 feet; thence southeasterly a distance of 21.28 feet, along a non-tangential curve, concave to the northeast, having a radius of 253.23 feet, a central angle of 4 degrees 48 minutes 51 seconds, and a chord bearing of South 25 degrees 36 minutes 17 seconds East; thence southeasterly a distance of 72.43 feet, along a compound curve, concave to the northeast, having a radius of 401.61 feet, a central angle of 10 degrees 19 minutes 59 seconds, and a chord bearing of South 33 degrees 10 minutes 41 seconds East; thence southeasterly a distance of 25.89 feet, along a reverse curve, concave to the southwest, have a radius of 953.48 feet, a central angle of 1 degree 33 minutes 20 seconds, and a chord bearing of South 37 degrees 34 minutes 00 seconds East, to an angle point in the westerly line of Lot 11, and FOREST HEIGHTS, and said line there terminating, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy and Qwest, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporation(s) as follows, to wit:

As to Xcel Energy: A 5.00 foot wide strip of land lying parallel with, abutting to and northeasterly of the following described line: Commencing at the most westerly corner of Lot 9, Block 23, FOREST HEIGHTS, according to the recorded plat thereof, Hennepin County, Minnesota; thence South 66 degrees 39 minutes 40 seconds West, assumed bearing, along the southwesterly extension of the northerly line of said Lot 9, a distance of 19.29 feet; thence southeasterly a distance of 21.28 feet along a non-tangential curve, concave to the northeast, having a radius of 253.23 feet, a central angle of 4 degrees 48 minutes 51 seconds, and a chord bearing of South 25 degrees 36 minutes 17 seconds East to the point of beginning of the line to be described; thence southeasterly a distance of 72.43 feet, along a compound curve, concave to the northeast, having a radius of 401.61 feet, a central angle of 10 degrees 19 minutes 59 seconds, and a chord bearing of South 33 degrees 10 minutes 41 seconds East; thence southeasterly a distance of 25.88 feet, along a reverse curve, concave to the southwest, having a radius of 953.48 feet, a central angle of 1 degree 33 minutes 20 seconds, and a chord bearing of South 37 degrees 34 minutes 00 seconds East, to an angle point in the westerly line of Lot 11, said FOREST HEIGHTS, and said line there terminating;

As to Qwest: All of the to-be-vacated alley, to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 8/22/03.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Dunwoody College of Technology (#1417) to vacate part of Laurel Ave, Aldrich Ave N to I-394 for the Dunwoody campus expansion, subject to retention of easement rights, and to adopt the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying resolution vacating said right-of-way.

Adopted 8/22/03.

Resolution 2003R-406, vacating part of Laurel Avenue as dedicated in Groveland Addition Minneapolis, was passed 8/22/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-406

By Schiff

Vacating part of Laurel Avenue as Dedicated in Groveland Addition Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That all that part of Laurel Avenue not previously vacated, as dedicated in Groveland Addition to Minneapolis, located west of Aldrich Avenue North and south of State Highway 394 is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, Qwest Communications, Centerpoint Energy-Minnegasco, and the City of Minneapolis-Public Works, their successors and assigns, to enter upon that portion of the aforementioned part of Laurel Avenue which is described in regard to the interests of each of the aforementioned said corporation(s) as follows, to wit:

As to Xcel Energy: a 10.00 foot wide easement lying parallel with, abutting to and southerly of the northerly line of said vacation area;

As to Qwest Communications: maintain utility easement through the existing location. Any costs incurred with the need to relocate this facility would be the responsibility of the petitioner;

As to Centerpoint Energy-Minnegasco: suitable easement rights be reserved pursuant to MnSta 160.29 & MnRule 7819.3200 and filed with the Hennepin County Records office for the southerly 20 feet of that part of Laurel Avenue proposed to be vacated. Should construction require relocation of the gas main we may consider removing our objection should the petitioner wish to reimburse Centerpoint Energy Minnegasco the cost of relocating the existing gas main;

As to City of Minneapolis-Public Works: an easement for an existing 6" inch Water Main across the northerly 30' feet of vacated Laurel Avenue;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said part of Laurel Avenue not previously vacated, as dedicated in Groveland Addition to Minneapolis, located west of Aldrich Avenue North and south of State Highway 394 upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this aforementioned part of Laurel Avenue had not been vacated.

Adopted 8/22/03.

Z&P - Your Committee concurs in the recommendation of the Planning Commission in denying the application of Timothy Baylor, for JADT Development Group, LLC (#1413), to vacate an irregular-shaped portion of the as-built cul-de-sac of West River Rd N, to be used for landscaping and to serve as a buffer between the townhouses and private drive, and to adopt the related findings prepared by the Planning Department.

Adopted 8/22/03.

Z&P - Your Committee, having under consideration the appeal filed by Chuck Liddy, of Miller Dunwiddie Architects, for Andrew Riverside Presbyterian Church, from the decision of the Heritage Preservation Commission (HPC) denying an application for a Certificate of Appropriateness to permit demolition of the entire building at 729 SE 4th St/401 SE 8th Ave (both the 1899 addition and

1890 church/sanctuary), and the Council having granted the COA for demolition of the 1899 addition on 7/25/03, now recommends that a COA be granted to permit demolition of the 1890 church/sanctuary, subject to conditions: a) that the 1890 addition must be documented to the Historic American Building Survey (HABS) Level IV, and copies of this documentation must be provided to the HPC, the Minneapolis Collection of the Minneapolis Public Library, the Northwest Architectural Archives, and the Minnesota State Historic Preservation office (if they want a copy of the documentation); and b) that the stained glass windows in the church be removed, in tact with the casings, and stored at the church's expense.

Adopted 8/22/03.

Declining to vote - Lilligren, Niziolek, Goodman.

MOTIONS

Zimmermann, Chair of the Claims Committee, moved concurrence in the reports received from the Finance Department (Petn No 269019) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted 8/22/03.

Johnson, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of September, 2003, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 8/22/03.

Lane moved to waive the time of event (Weekdays: No earlier than 6 PM) as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Mike Dean, for the Lander Group Inc, for a business district block event to be held Tuesday, September 9, 2003, between the hours of 4:00 p.m. and 9:00 p.m. on West River Parkway between East Lake Street and Dorman Avenue, subject to approval being granted by the Police Department to grant said waiver. Seconded.

Adopted 8/22/03.

Ostrow introduced the subject matter of an Ordinance amending Chapter 423 of the Minneapolis Code of Ordinances relating to Small and Underutilized Business Enterprise Program, which was given its first reading and referred to the Health & Human Services Committee (Clarifying that the Equal Employment Opportunity goals of Chapter 423 are preempted when federal funding is used in a project).

Johnson moved to request a Private Letter Ruling from the Internal Revenue Services to confirm that the Minneapolis Community Development Agency (MCDA) pension transfers required by Minnesota Laws, 2003, Chapter 127, Article 12, Section 31-34 are treated properly. Seconded.

Adopted 8/22/03.

RESOLUTIONS

Schiff, Benson, Goodman, Johnson, Johnson Lee, Lilligren, Niziolek, Ostrow, Zerby and Zimmermann offered a Resolution in support of a new Mexican Consulate in the City of Minneapolis.

Adopted 8/22/03.

The following is the complete text of the unpublished resolution.

RESOLUTION 2003R-407

**By Schiff, Benson, Goodman, Johnson, Johnson Lee, Lilligren,
Niziolek, Ostrow, Zerby and Zimmermann**

In support of a new Mexican Consulate in the City of Minneapolis.

Whereas, Minneapolis is the home of more people of Mexican descent than any other city in Minnesota; and

Whereas, the Mexican immigrant population has made important contributions to the economy of Minneapolis including: the opening of dozens of thriving small businesses in formerly difficult to develop areas; the infusion of a strong labor force able to take on many difficult and hard to fill jobs in manufacturing, services and food processing; and

Whereas, the economic ties between Minnesota and Mexico have been strengthened with the increased interest in trade between our two countries and a Mexican consular office in Minneapolis would facilitate business communication and trade with Mexico; and

Whereas, the City of Minneapolis values its growing relationship with Mexico that is evolving out of the changing demographics and the growing economic and cultural connections; and

Whereas, the City of Minneapolis has a strong interest in ensuring that the Mexican immigrant community has easy access to important consular services; and

Whereas, the City of Minneapolis has identified four suitable and easily accessible sites for a Mexican Consulate on Lake Street, vibrant commercial corridor where many who would access it live and work; and

Whereas, a Mexican consular office in Minneapolis would provide an opportunity for cultural, educational, artistic, musician, language, as well as business interchange; and

Whereas, the City of Minneapolis seeks to build on this strong and mutually beneficial relationship between our city and our Mexican immigrant community that can benefit both our nations;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council and the Mayor of Minneapolis invite the government of Mexico to open a Mexican Consulate in the City of Minneapolis, Minnesota, at its earliest convenience.

Be It Further Resolved that this resolution, along with a copy of a background packet prepared by the City of Minneapolis, be sent to The Honorable Vicente Fox, President of Mexico, as an indication that this is a high priority for the City of Minneapolis and that the City Council and the Mayor stand ready to facilitate and assist the opening of a Mexican Consulate within the City of Minneapolis.

Adopted 8/22/03.

Schiff offered a Resolution honoring Children's Theatre Company.

Adopted 8/22/03.

The following is the complete copy of the unpublished resolution.

RESOLUTION 2003R-408

By Schiff

Honoring Children's Theatre Company.

Whereas, the citizens of Minneapolis share a unique appreciation for the arts and the role they play in the lives of our children; and

Whereas, the nationally renowned Children's Theatre Company has made vital contributions to the quality of life in the City of Minneapolis for 38 years; and

Whereas, Children's Theatre Company consistently produces groundbreaking theatrical works from Dr. Seuss' *The 500 Hats of Bartholomew Cubbins* (1980) to *Snapshot Silhouette* (2004), that educate and inspire young people; and

Whereas, Children's Theatre Company's innovative education and community partnerships, including Neighborhood Bridges, teach young people critical literacy, creativity, teamwork and self-confidence; and

Whereas, since 1965, Children's Theatre Company has served over 6 million young people and families and employed thousands of talented actors, administrators, musicians, designers, crafts people, stage managers and playwrights; and

Whereas, in April 2003, one of Children's Theatre Company world premiere productions, *A Year with Frog and Toad*, was the first production fully created in Minneapolis to open on Broadway and receive three Tony Award nominations; and

Whereas, in June 2003, Children's Theatre Company was the first theater for young people to receive the Regional Theatre Tony Award, recognizing sustained artistic excellence and contributions to the professional theater field nationally; and

Whereas, in autumn 2003, Children's Theatre Company will officially embark on the construction phase of an expansion plan that will help expand its contributions to the community by adding dedicated classroom space, dedicated rehearsal space and a second stage for teens; and

Whereas, today, August 22, 2003, Children's Theatre Company will launch its 2003/2004 season with the Minneapolis premiere of *Honk! The Ugly Duckling Musical*;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Friday, August 22, 2003 is hereby proclaimed Honk! Day in the City of Minneapolis.

Be It Further Resolved that we express our gratitude and thanks to the Children's Theatre Company for their extraordinary commitment to the young people and families of Minneapolis.

Be It Further Resolved that we are honored to have America's leading regional theater make its home in Minneapolis and we urge all of our citizens to Honk! for Children's Theatre Company on this day.

Adopted 8/22/03.

Lilligren moved to adjourn. Seconded.

Adjourned.

Merry Keefe,
City Clerk

Created: 8/26/2003;
Modified: 8/29/2003;
Corrected: 9/09/2003;
11/12/2003